

Administration and Regulation Appropriations Bill House File 809

As Amended by H-1662

Last Action:

Senate Floor

April 21, 2009

An Act relating to and making appropriations to certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, and other properly related matters, and providing effective and retroactive applicability dates.

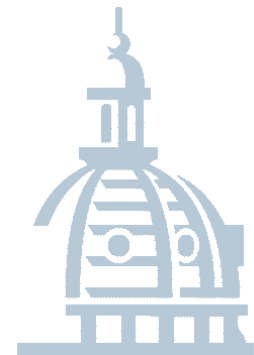
NOTES ON BILLS AND AMENDMENTS (NOBA)

Available on line at <http://www3.legis.state.ia.us/noba/index.jsp>

Fiscal Services Division

LSA Contacts: Joe Brandstatter (515-725-2062)

David Reynolds (515-281-6934)



EXECUTIVE SUMMARY NOBA

HOUSE FILE 809 AS AMENDED BY H-1662 ADMINISTRATION AND REGULATION APPROPRIATIONS BILL

SENATE AMENDMENT – H-1662 FUNDING SUMMARY

Page and line numbers refer to the location where the amendment action is inserted in HF 809.

- Appropriates a total of \$61.2 million from the General Fund and authorizes 1,662.2 FTE positions for FY 2010. This is a decrease of \$33.2 million and an increase of 16.2 FTE positions compared to estimated net FY 2009. The Bill also appropriates a total of \$47.3 in other funds, an increase of \$26.2 million compared to estimated net FY 2009.
- Permits the Auditor of State to seek reimbursements for audits required by the federal government and reimbursed by federal funds. (Page 5, Line 1)
- Appropriates a total of \$26.3 million from the Commerce Revolving Fund for the Division of Banking, Credit Union Division, Division of Insurance, Division of Utilities, and the Office of Consumer Advocate. The amendment also deappropriates a General Fund appropriation of \$2.8 million from SF 275 (Justice System Appropriation Bill). (Page 7, Line 26 and Page 31, Line 22)
- Specifies the intent of the General Assembly to require the Department of Inspections and Appeals to provide information to the public via the internet relating to inspections, operating costs, and FTE positions. (Page 12, Line 30)
- Strikes language prohibiting out-of-state travel for agencies unless authorized by the Executive Council. (Page 19, Line 18)
- Requires the Department of Administrative Services to purchase vehicles for the State at the lowest possible cost. Vehicle purchases are not to include optional equipment that increases the cost to the State unless it is specifically required by a State agency. The Department will not have to remove optional equipment if such an action would increase the cost of the vehicle to the State. (Page 20, Line 21)
- Strikes language providing funding for the Office of Grants Enterprise Management. (Page 22, Line 2)
- Permits the Ethics and Campaign Disclosure Board to enter into an agreement with a political subdivision authorizing the Board to enforce a Code of Ethics adopted by the political subdivision. (Page 31, Line 22)
- Allows for a Class E Liquor Control License to be issued to premises that sell gasoline. (Page 31, Line 22)
- Creates a bingo license and fee of \$50 for community festivals in which bingo is permitted once each day for the duration of the festival not to exceed four days. (Page 31, Line 22)
- Changes the requirements for the Foster Care Review Board. (Page 33, Line 22)
- Strikes the requirement for six-month review of cases by local Foster Care Review Boards. (Page 33, Line 22)

**EXECUTIVE SUMMARY
NOBA**

**HOUSE FILE 809 AS AMENDED BY H-1662
ADMINISTRATION AND REGULATION APPROPRIATIONS BILL**

BILL AS PASSED BY THE HOUSE
FUNDING SUMMARY

**MAJOR INCREASES, DECREASES,
AND TRANSFERS OF EXISTING
PROGRAMS**

- Appropriates a total of \$85.9 million from the General Fund and authorizes 1,633.2 FTE positions for FY 2010. This is a decrease of \$11.6 million and an increase of 14.2 FTE positions compared to estimated net FY 2009. The Bill also appropriates a total of \$21.1 million from other funds, an increase of \$7,000 compared to estimated net FY 2009.
- ***Department of Administrative Services (DAS)***
 - A decrease of \$968,000 for a general reduction to the DAS operating budget. The decrease includes a reduction of \$114,000 for a position that will be funded from the Rebuild Iowa Office in FY 2010. (Page 1, Line 3)
 - A decrease of \$126,000 for a reduction to the utilities appropriation. (Page 1, Line 14)
- ***Auditor of State***
 - A decrease of \$328,000 for a general reduction to the Auditor's operating appropriation. (Page 3, Line 33)
- ***Ethics and Campaign Disclosure Board***
 - A decrease of \$14,000 for a general reduction to the Board's operating appropriation. (Page 5, Line 2)
- ***Department of Commerce***
 - A total decrease of \$1.6 million for general reductions to all divisions of the Department of Commerce. (Page 5, Line 13 through Page 8, Line 12)
- ***Governor's Office***
 - A total decrease of \$857,000 for general reductions to the Governor's Office appropriations. The decrease includes a reduction \$163,000 and 2.0 FTE positions that will be funded from the Rebuild Iowa Office in FY 2010. (Page 8, Line 13 through Page 9, Line 13)
- ***Governor's Office of Drug Control Policy***
 - A decrease of \$1.7 million associated with eliminating State funding for Drug Task Forces. For FY 2010, the Drug Task Forces will be funded through federal Block Grant and the American Recovery and Investment Act (ARRA) monies. (Page 9, Line 14)
- ***Department of Human Rights***
 - A total decrease of \$404,000 for general reductions to the divisions and programs of the Department of Human Rights. (Page 9, Line 27 through Page 11, Line 32)

EXECUTIVE SUMMARY NOBA

HOUSE FILE 809 AS AMENDED BY H-1662 ADMINISTRATION AND REGULATION APPROPRIATIONS BILL

MAJOR INCREASES, DECREASES, AND TRANSFERS OF EXISTING PROGRAMS (CONTINUED)

- ***Department of Inspections and Appeals***

- A total decrease of \$1.3 million for general reductions to the divisions of the Department of Inspections and Appeals. (Page 12, Line 4 through Page 14, Line 35)

- ***Department of Management***

- A total decrease of \$432,000 for a general reduction to the Department's operating budget. (Page 15, Line 11 through Page 16, Line 8)

- ***Department of Revenue***

- A decrease of \$3.6 million for a general reduction to the Department's operating budget. (Page 16, Line 9)

- ***Secretary of State***

- A decrease of \$284,000 for a general reduction to the Secretary of State's operating budget. (Page 17, Line 2)

- ***Treasurer of State***

- A decrease of \$115,000 for a general reduction to the Treasurer of State's operating budget. (Page 17, Line 29)

NEW PROGRAMS, SERVICES, OR ACTIVITIES

- ***Rebuild Iowa Office***

- Appropriates \$198,000 and 12.0 FTE positions for the newly established Rebuild Iowa Office. The FTE positions will be primarily funded with federal funds. (Page 18, Line 26)

STUDIES AND INTENT LANGUAGE

- Specifies the intent of the General Assembly that the DAS reduce utility costs by 10.0% through energy conservation practices. (Page 1, Line 23)
- Specifies the intent of the General Assembly that the DAS take available steps to reduce the motor vehicle fleet operation and purchasing costs by 7.5%. Requires the Department to submit a report to the General Assembly by January 1, 2010. (Page 1, Line 28)
- Requires that rates for services provided solely by the DAS not exceed the rates set for services as of January 1, 2009. (Page 2, Line 32)
- Permits the DAS to charge \$2.00 per month for each health insurance contract administered by the Department to cover administrative costs of the State Health Insurance Program. (Page 3, Line 27)
- Permits the Auditor of State to add staff and expend additional funds to conduct reimbursable audits. (Page 4, Line 9)
- Prohibits the Auditor from increasing rates and fees for FY 2010 above the levels established as of January 1, 2009. Prohibits the Auditor from receiving reimbursements from State agencies and governmental subdivisions that exceed the total amount reimbursed to the Auditor during FY 2009. (Page 4, Line 20)

EXECUTIVE SUMMARY NOBA

HOUSE FILE 809 AS AMENDED BY H-1662 ADMINISTRATION AND REGULATION APPROPRIATIONS BILL

STUDIES AND INTENT LANGUAGE (CONTINUED)

- Permits the Insurance Division of the Department of Commerce to reallocate staff to meet accreditation standards and permits examination expenditures of the Division to exceed revenues if the expenditures are reimbursable. (Page 6, Line 15)
- Permits the Utilities Division of the Department of Commerce to expend additional funds for utility company examinations if the funds are reimbursable. (Page 7, Line 4)
- Requires the Department of Human Rights to submit a written report to the General Assembly by January 1, 2010, concerning the organization and duties of the Department and whether reorganization could provide enhanced services to Iowans. (Page 11, Line 25)
- Permits the Employment Appeal Board to expend funds as necessary for hearings related to contractor registration. The costs for these hearings are required to be reimbursed by the Labor Services Division of the Department of Workforce Development. (Page 13, Line 2)
- Requires the Department of Human Services, the Child Care Advocacy Board, and the Department of Inspection and Appeals to cooperate in filing an application for federal funds for Child Care Advocacy Board administrative review costs. (Page 13, Line 18)
- Specifies the intent of the General Assembly to repeal the Rebuild Iowa Office on June 30, 2011. (Page 19, Line 1)
- Directs the State agencies receiving appropriations in this Bill to implement cost-savings strategies that prevent, to the extent possible, the permanent layoff of State employees. (Page 19, Line 6)
- Requires any unobligated funds appropriated to DAS for utility costs to carry forward to FY 2011. (Page 1, Line 18)
- Requires excess funds from the Workers' Compensation Fund at the end of the fiscal year to carry forward for payment of claims and administrative costs and specifies that any funds received by the DAS for workers' compensation purposes be used for the payment of workers' compensation claims and administrative costs. (Page 2, Line 23)
- Requires the first \$1.0 million collected by the Department of Transportation from the sale of certified driver's records to be allocated to the IowAccess Revolving Fund. (Page 3, Line 10)
- Requires any unobligated funds from the FY 2010 appropriation to the Utilities Division of the Department of Commerce to carry forward to FY 2011 and be used for the energy-efficient building project. (Page 7, Line 17)

SIGNIFICANT CHANGES TO THE CODE OF IOWA

EXECUTIVE SUMMARY NOBA

HOUSE FILE 809 AS AMENDED BY H-1662 ADMINISTRATION AND REGULATION APPROPRIATIONS BILL

SIGNIFICANT CHANGES TO THE CODE OF IOWA (CONTINUED)

- Permits the Child Advocacy Board to establish up to six pilot projects to examine alternative policies to guide the process and procedures used by local citizen foster care review boards. (Page 13, Line 30)
- Permits the Office of the Secretary of State to refund fees if a filer is not satisfied with the quality of service provided. The decision to issue a refund is at the discretion of the Secretary of State and is not subject to administrative review. (Page 17, Line 17)
- Extends the repeal date of the Health Insurance Administration Fund from July 1, 2009, to July 1, 2010. (Page 19, Line 14)
- Eliminates a requirement for the Secretary of State to revert federal funds received for the purchase of optical scan voting systems to the Rebuild Iowa Infrastructure Fund (RIIF). (Page 19, Line 17)
- Requires agencies to report all grants received or accepted by the Governor to the Iowa Ethics and Campaign Disclosure Board. (Page 20, Line 2 and Page 20, Line 30 through Page 21, Line 24)
- Repeals the Office of Grants Enterprise Management (GEMS) within the Department of Management. (Page 20, Line 26 through Page 20, Line 29 and Page 21, Line 25)
- Exempts certain positions within the Office of State Treasurer from collective bargaining provisions. (Page 21, Line 28)
- Permits the Treasurer of State to sell abandoned property to the highest bidder in a manner that is the most favorable market for the property involved. Allows for the Treasurer to provide notice of internet auctions via the website at least seven days in advance. (Page 21, Line 33)
- Section 26, which extends the repeal date of the Health Insurance Administration Fund, is effective on enactment. (Page 19, Line 27)
- Section 27, which eliminates a requirement for the Secretary of State to revert federal funds, is effective retroactively to April 1, 2008. (Page 19, Line 30)

EFFECTIVE DATES

House File 809 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section	Description
1	18	1.1(b)	Nwthstnd	Sec. 8.33	Nonreversion of DAS Utility Appropriation
2	23	1.3	Nwthstnd	Sec. 8.33	Carry Forward of DAS Workers' Compensation Fund
3	10	3	Nwthstnd	Sec. 321A.3(1)	Allocation of Funds to lowAccess
7	17	7.5(c)	Nwthstnd	Sec. 8.33 and 476.10	Nonreversion of Utilities Division Appropriation
13	30	12.6(d)	Nwthstnd	Sec. 237.18 and 237.20	Child Advocacy Board Pilot Projects
17	16	20	Nwthstnd	Sec. 490.122(1) (a & s) and 504.113(1)(a,c,d,j,k,l, & m)	Secretary of State Filing Fee Refunds
19	11	26	Nwthstnd	All Provisions	Out-of-State Travel Restriction
19	19	27	Nwthstnd	All Provisions	Expense Reimbursement Requirements
19	29	28	Nwthstnd	All Provisions	Legislative Per Diem for Ex Officio Board Members
20	24	31	Amends	Sec. 8A.454(4)	Health Insurance Administration Fund Repeal Date Change
20	27	32	Amends	Sec. 5.1, Chap. 1176, 2008 Iowa Acts	Eliminates Requirement to Revert Federal Funds
21	12	34	Amends	Sec. 8.7	Reporting of Grants
22	1	35	Repeals	Sec. 8.11(3)	Repeal of Grants Enterprise Management Office
22	3	36	Repeals	Sec. 8A.505(2)	Repeal of Grants Enterprise Management Office
22	5	37	Amends	Sec. 68B.32(1)	Reporting of Grants
22	22	38	Amends	Sec. 68B.32A(5)	Reporting of Grants
22	35	39	Repeals	Sec. 8.9 and 8.10	Repeal of Grants Enterprise Management Office
23	3	40	Adds	Sec. 12.9	Exempts Positions from Collective Bargaining
23	8	41	Amends	Sec. 556.17(1) & (2)	Sale of Abandoned Property
24	11	42	Adds	Sec. 8A.104(12A)	Searchable Budget Database
24	21	43	Adds	Sec. 8G.2	Searchable Budget Database
24	32	44	Adds	Sec. 8G.2	Searchable Budget Database

Page #	Line #	Bill Section	Action	Code Section	Description
24	35	45	Adds	Sec. 8G.3	Searchable Budget Database Definitions
26	15	46	Adds	Sec. 8G.4	Searchable Budget Database
28	35	47	Adds	Sec. 8G.5	Searchable Budget Database
29	21	48	Adds	Sec. 8G.6	Searchable Budget Database
29	30	49	Adds	Sec. 8G.7	Searchable Budget Database
30	1	50	Adds	Sec. 8G.10	Searchable Tax Rate Database
30	16	51	Adds	Sec. 8G.11	Searchable Tax Rate Database
30	19	52	Adds	Sec. 8G.12	Searchable Tax Rate Database
31	7	53	Adds	Sec. 8G.13	Searchable Tax Rate Database
31	25	55	Amends	Sec. 99B.2(1)(a)	Inspections and Appeals Bingo Licenses
32	15	56	Amends	Sec. 99B.2(1)(b)	Inspections and Appeals Bingo Licenses
32	31	57	Amends	Sec. 99B.2(4)	Inspections and Appeals Bingo Licenses
33	16	58	Nwthstnd	Sec. 135C.16	Health Care Facility Inspections

1 1 DIVISION I
1 2 ADMINISTRATION AND REGULATION APPROPRIATIONS

1 3 Section 1. DEPARTMENT OF ADMINISTRATIVE SERVICES.
1 4 1. There is appropriated from the general fund of the
1 5 state to the department of administrative services for the
1 6 fiscal year beginning July 1, 2009, and ending June 30, 2010,
1 7 the following amounts, or so much thereof as is necessary, to
1 8 be used for the purposes designated:
1 9 a. For salaries, support, maintenance, and miscellaneous
1 10 purposes, and for not more than the following full-time
1 11 equivalent positions:
1 12 \$ 5,349,232
1 13 FTEs 112.28

1 14 b. For the payment of utility costs and for not more than
1 15 the following full-time equivalent positions:
1 16 \$ 3,517,432
1 17 FTEs 1.00

1 18 Notwithstanding section 8.33, any excess funds appropriated
1 19 for utility costs in this lettered paragraph shall not revert
1 20 to the general fund of the state at the end of the fiscal year
1 21 but shall remain available for expenditure for the purposes of
1 22 this lettered paragraph during the succeeding fiscal year.

1 23 It is the intent of the general assembly that the
1 24 department shall reduce utility costs through energy
1 25 conservation practices. The goal of the general assembly is
1 26 to reduce energy use by 10 percent to save money, conserve
1 27 energy resources, and reduce pollution.

1 28 c. It is the intent of the general assembly that the state

General Fund appropriation to the Department of Administrative Services (DAS).

DETAIL: This is a decrease of \$967,673 and an increase of 0.20 FTE position compared to the estimated net FY 2009 appropriation. The decrease includes:

- \$114,000 for the transfer of a position to the Rebuild Iowa Office.
- \$853,673 for a general reduction associated with balancing the General Fund budget.

General Fund appropriation for the Utilities Account of the DAS.

DETAIL: This is a decrease of \$125,765 compared to the estimated net FY 2009 appropriation and no change in FTE positions. The funds are used to pay energy costs for the Capitol Complex and the crime lab in Ankeny.

CODE: Requires any unobligated funds appropriated for FY 2010 utility costs to carry forward to FY 2011.

Specifies the intent of the General Assembly that the Department reduce utility costs by 10.00% through energy conservation practices.

Specifies that it is the intent of the General Assembly for the DAS to

1 29 maintain a cost effective, reliable motor vehicle fleet for
1 30 state operations. It is the goal of the general assembly that
1 31 the department shall take all available steps to reduce motor
1 32 vehicle fleet operation and purchasing costs by 7.5 percent.
1 33 It is also the intent of the general assembly that replacement
1 34 motor vehicles purchased by the department shall include only
1 35 those options necessary for the intended purpose of the
2 1 vehicles purchased unless inclusion of the options are part of
2 2 the lowest responsible cost package available for the vehicles
2 3 purchased. In addition, to maximize the cost effectiveness of
2 4 the motor vehicle fleet given the current fiscal environment,
2 5 it is also the intent of the general assembly that the
2 6 department implement a policy, effective July 1, 2009, to
2 7 extend the time that vehicles in the department's motor
2 8 vehicle fleet are retained and used by the state with the
2 9 purpose of reducing the cost of fleet operations for state
2 10 agencies. The policy change shall incorporate an increase in
2 11 the overall length of time that a vehicle is retained in
2 12 addition to an increase in the number of miles that a vehicle
2 13 is driven prior to being replaced. The department shall
2 14 submit a report to the general assembly by January 1, 2010,
2 15 concerning the department's efforts to reduce state motor
2 16 vehicle fleet costs, including data on the extent of savings
2 17 realized.

take available steps to reduce the motor vehicle fleet operation and purchasing costs by 7.5%. Requires the Department to submit a report to the General Assembly by January 1, 2010, that addresses the Department's efforts associated with reducing fleet costs.

2 18 2. Members of the general assembly serving as members of
2 19 the deferred compensation advisory board shall be entitled to
2 20 receive per diem and necessary travel and actual expenses
2 21 pursuant to section 2.10, subsection 5, while carrying out
2 22 their official duties as members of the board.

Authorizes members of the General Assembly to receive per diem, travel expenses, and actual expenses while performing official duties as members of the Deferred Compensation Advisory Board.

2 23 3. Any funds and premiums collected by the department for
2 24 workers' compensation shall be segregated into a separate
2 25 workers' compensation fund in the state treasury to be used
2 26 for payment of state employees' workers' compensation claims
2 27 and administrative costs. Notwithstanding section 8.33,

CODE: Requires excess funds from the Workers' Compensation Fund at the end of the fiscal year to carry forward for payment of claims and administrative costs.

Specifies that any funds received by the DAS for workers' compensation purposes be used for the payment of workers'

2 28 unencumbered or unobligated moneys remaining in this workers'
 2 29 compensation fund at the end of the fiscal year shall not
 2 30 revert but shall be available for expenditure for purposes of
 2 31 the fund for subsequent fiscal years.

compensation claims and administrative costs.

2 32 4. For the fiscal year beginning July 1, 2009, and ending
 2 33 June 30, 2010, the rate set for a service provided solely by
 2 34 the department of administrative services as determined
 2 35 pursuant to section 8.6, subsection 16, paragraph "c", shall
 3 1 not exceed the rate set for that service as of January 1,
 3 2 2009.

Requires that rates for services provided solely by the DAS not exceed the rates set for services as of January 1, 2009.

3 3 Sec. 2. REVOLVING FUNDS. There is appropriated to the
 3 4 department of administrative services for the fiscal year
 3 5 beginning July 1, 2009, and ending June 30, 2010, from the
 3 6 revolving funds designated in chapter 8A and from internal
 3 7 service funds created by the department such amounts as the
 3 8 department deems necessary for the operation of the department
 3 9 consistent with the requirements of chapter 8A.

Permits the DAS to use resources in revolving funds and internal service funds created by the Department for operational purposes.

3 10 Sec. 3. FUNDING FOR IOWACCESS.
 3 11 1. Notwithstanding section 321A.3, subsection 1, for the
 3 12 fiscal year beginning July 1, 2009, and ending June 30, 2010,
 3 13 the first \$1,000,000 collected and transferred by the
 3 14 department of transportation to the treasurer of state with
 3 15 respect to the fees for transactions involving the furnishing
 3 16 of a certified abstract of a vehicle operating record under
 3 17 section 321A.3, subsection 1, shall be transferred to the
 3 18 lowAccess revolving fund established by section 8A.224 and
 3 19 administered by the department of administrative services for
 3 20 the purposes of developing, implementing, maintaining, and
 3 21 expanding electronic access to government records as provided
 3 22 by law.

CODE: Requires the first \$1,000,000 collected by the Department of Transportation from the sale of certified driver's records to be allocated to the lowAccess Revolving Fund for developing, implementing, maintaining, and expanding electronic access to government records.

3 23 2. All fees collected with respect to transactions

Requires all fees related to transactions involving lowAccess to be

3 24 involving lowAccess shall be deposited in the lowAccess
 3 25 revolving fund and shall be used only for the support of
 3 26 lowAccess projects.

deposited in the lowAccess Revolving Fund and used for lowAccess projects.

3 27 Sec. 4. STATE EMPLOYEE HEALTH INSURANCE ADMINISTRATION
 3 28 CHARGE. For the fiscal year beginning July 1, 2009, and
 3 29 ending June 30, 2010, the monthly per contract administrative
 3 30 charge which may be assessed by the department of
 3 31 administrative services shall be \$2 per contract on all health
 3 32 insurance plans administered by the department.

Permits the DAS to charge \$2.00 per month for each health insurance contract administered by the Department.

DETAIL: The funds are deposited in the Health Insurance Administration Fund and used by the Department for administrative costs of the health insurance program.

3 33 Sec. 5. AUDITOR OF STATE.

General Fund appropriation to the Auditor of State.

3 34 1. There is appropriated from the general fund of the
 3 35 state to the office of the auditor of state for the fiscal
 4 1 year beginning July 1, 2009, and ending June 30, 2010, the
 4 2 following amount, or so much thereof as is necessary, to be
 4 3 used for the purposes designated:
 4 4 For salaries, support, maintenance, and miscellaneous
 4 5 purposes, and for not more than the following full-time
 4 6 equivalent positions:
 4 7 \$ 905,468
 4 8 FTEs 103.00

DETAIL: This is a decrease of \$328,223 and no change in FTE positions compared to the estimated net FY 2009 appropriation.

4 9 The auditor of state may retain additional full-time
 4 10 equivalent positions as is reasonable and necessary to perform
 4 11 governmental subdivision audits which are reimbursable
 4 12 pursuant to section 11.20 or 11.21, to perform audits which
 4 13 are requested by and reimbursable from the federal government,
 4 14 and to perform work requested by and reimbursable from
 4 15 departments or agencies pursuant to section 11.5A or 11.5B.
 4 16 The auditor of state shall notify the department of
 4 17 management, the legislative fiscal committee, and the
 4 18 legislative services agency of the additional full-time
 4 19 equivalent positions retained.

Permits the State Auditor to add staff and expend additional funds to conduct reimbursable audits. Requires the Office to notify the Department of Management (DOM), the Legislative Fiscal Committee, and the Legislative Services Agency (LSA) when additional positions are retained.

4 20 2. As a condition of receiving funding appropriated in
 4 21 this section, for the fiscal year beginning July 1, 2009, and
 4 22 ending June 30, 2010, the auditor shall comply with all of the
 4 23 following requirements:
 4 24 a. The rates and fees set by the auditor to conduct audits
 4 25 for the fiscal year shall not exceed the rates and fees set
 4 26 for conducting audits as of January 1, 2009.
 4 27 b. The auditor shall not seek reimbursement from
 4 28 departments and agencies specified in section 11.5B in an
 4 29 amount that exceeds the total amount reimbursed to the auditor
 4 30 by those departments and agencies for the fiscal year
 4 31 beginning July 1, 2008.
 4 32 c. The auditor shall not seek reimbursement from
 4 33 governmental subdivisions for audits which are reimbursable
 4 34 pursuant to section 11.20 or 11.21 in an amount that exceeds
 4 35 the total amount reimbursed to the auditor by governmental
 5 1 subdivisions for the fiscal year beginning July 1, 2008.

Prohibits the Auditor from increasing rates and fees for FY 2010 above the levels established as of January 1, 2009. Prohibits the Auditor from receiving reimbursements from State agencies and governmental subdivisions that exceed the total amount reimbursed to the Auditor during FY 2009.

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* 1 3 #1. Page 5, by inserting after line 1 the
 * 1 4 following:
 * 1 5 "d. Notwithstanding any provision of this
 * 1 6 subsection to the contrary, the auditor may seek
 * 1 7 reimbursement from departments and agencies specified
 * 1 8 in section 11.5B, and governmental subdivisions, in an
 * 1 9 amount that exceeds the total amount reimbursed to the
 * 1 10 auditor by those departments, agencies, or
 * 1 11 governmental subdivisions for the fiscal year
 * 1 12 beginning July 1, 2008, for audits required by the
 * 1 13 federal government and reimbursable from federal
 * 1 14 funds.
 * 1 15 e. For purposes of this subsection, "total amount
 * 1 16 reimbursed" does not include amounts reimbursed for
 * 1 17 audits required and reimbursed from federal funds.

SENATE AMENDMENT:

CODE: Permits the Auditor of State to charge State agencies and other governmental subdivisions for federal reimbursement of costs for conducting audits that are required by the federal government.

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SENATE AMENDMENT:

* 1 18 Sec. . AUDITOR OF STATE == DISCRETIONARY
 * 1 19 AUDITS. For the fiscal period beginning April 1,
 * 1 20 2009, and ending June 30, 2010, the auditor of state,
 * 1 21 in addition to any other requirements provided in this
 * 1 22 Act, shall not seek reimbursement from departments and
 * 1 23 agencies specified in section 11.5B for any
 * 1 24 discretionary audit that the auditor initiates or has
 * 1 25 initiated on the auditor's own authority and which is
 * 1 26 not specifically required by statute. Notwithstanding
 * 1 27 the prohibition contained in this section, the auditor
 * 1 28 shall perform all necessary audit duties related to
 * 1 29 any financial report required to be compiled by a
 * 1 30 department or agency that the auditor has previously
 * 1 31 audited in the normal course of the auditor's duties,
 * 1 32 whether or not such financial report is required by
 * 1 33 law. Any amounts reimbursed in association with such
 * 1 34 audit shall be limited to the amounts reimbursed for
 * 1 35 the audit of such report during the previous reporting
 * 1 36 period."

CODE: Prohibits the Auditor of State from billing State agencies for discretionary audits that are not statutorily required and that are initiated by the Auditor.

5 2 Sec. 6. IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD. There
 5 3 is appropriated from the general fund of the state to the Iowa
 5 4 ethics and campaign disclosure board for the fiscal year
 5 5 beginning July 1, 2009, and ending June 30, 2010, the
 5 6 following amount, or so much thereof as is necessary, for the
 5 7 purposes designated:
 5 8 For salaries, support, maintenance, and miscellaneous
 5 9 purposes, and for not more than the following full-time
 5 10 equivalent positions:
 5 11 \$ 523,000
 5 12 FTEs 6.00

General Fund appropriation to the Iowa Ethics and Campaign Disclosure Board.

DETAIL: This is a decrease of \$14,256 and no change in FTE positions compared to the estimated net FY 2009 appropriation.

5 13 Sec. 7. DEPARTMENT OF COMMERCE. There is appropriated
 5 14 from the general fund of the state to the department of
 5 15 commerce for the fiscal year beginning July 1, 2009, and
 5 16 ending June 30, 2010, the following amounts, or so much

5 17 thereof as is necessary, for the purposes designated:

5 18 1. ALCOHOLIC BEVERAGES DIVISION

5 19 For salaries, support, maintenance, and miscellaneous
5 20 purposes, and for not more than the following full-time
5 21 equivalent positions:

5 22 \$ 2,007,160

5 23 FTEs 37.00

General Fund appropriation to the Alcoholic Beverages Division of the Department of Commerce.

DETAIL: This is a decrease of \$73,198 and no change in FTE positions compared to the estimated net FY 2009 appropriation.

5 24 2. BANKING DIVISION

5 25 a. Banking. For salaries, support, maintenance, and
5 26 miscellaneous purposes, and for not more than the following
5 27 full-time equivalent positions:

5 28 \$ 8,063,060

5 29 FTEs 73.00

General Fund appropriation to the Banking Division of the Department of Commerce.

DETAIL: This is a decrease of \$599,610 and no change in FTE positions compared to the estimated net FY 2009 appropriation.

FISCAL IMPACT: The cost of the Banking Division's activities are reimbursed from fees charged to the banking industry and are deposited in the General Fund. At the end of the fiscal year, the total of all fees will equal the Division's General Fund appropriation. A reduction to the General Fund appropriation reduces the Banking Division's expenses and therefore, the fees charged to the banking industry are reduced. The appropriation reduction in this Bill will reduce General Fund receipts by \$599,610.

5 30 b. Professional licensing and regulation. For salaries,
5 31 support, maintenance, and miscellaneous purposes, and for not
5 32 more than the following full-time equivalent positions:

5 33 \$ 900,553

5 34 FTEs 16.00

General Fund appropriation to the Professional Licensing and Regulation Bureau of the Banking Division of the Department of Commerce.

DETAIL: This is a decrease of \$32,968 and no change in FTE positions compared to the estimated net FY 2009 appropriation.

5 35 3. CREDIT UNION DIVISION

6 1 For salaries, support, maintenance, and miscellaneous
6 2 purposes, and for not more than the following full-time
6 3 equivalent positions:

6 4 \$ 1,608,388

General Fund appropriation to the Credit Union Division of the Department of Commerce.

DETAIL: This is a decrease of \$119,607 and no change in FTE positions compared to the estimated net FY 2009 appropriation.

6 5 FTEs 19.00

FISCAL IMPACT: The cost of the Credit Union Division's activities are reimbursed from fees charged to the credit union industry and are deposited in the General Fund. At the end of the fiscal year, the total of all fees will equal the Division's General Fund appropriation. A reduction to the General Fund appropriation reduces the Credit Union Division's expenses and therefore, the fees charged to the credit union industry are reduced. The appropriation reduction in this Bill will reduce General Fund receipts by \$119,607.

6 6 4. INSURANCE DIVISION

6 7 a. For salaries, support, maintenance, and miscellaneous
6 8 purposes, and for not more than the following full-time
6 9 equivalent positions:

6 10 \$ 4,711,954

6 11 FTEs 101.00

General Fund appropriation to the Insurance Division of the Department of Commerce.

DETAIL: This is a decrease of \$169,262 and no change in FTE positions compared to the estimated net FY 2009 appropriation.

6 12 b. For the use of the senior health insurance information
6 13 program:

6 14 \$ 52,253

General Fund appropriation to the Insurance Division of the Department of Commerce for the Senior Health Insurance Information Program.

DETAIL: This is a decrease of \$6,847 compared to the estimated net FY 2009 appropriation. This Program is used to disseminate educational materials and raise public awareness about health insurance products for older Iowans.

6 15 c. The insurance division may reallocate authorized full-
6 16 time equivalent positions as necessary to respond to
6 17 accreditation recommendations or requirements. The insurance
6 18 division expenditures for examination purposes may exceed the
6 19 projected receipts, refunds, and reimbursements, estimated
6 20 pursuant to section 505.7, subsection 7, including the
6 21 expenditures for retention of additional personnel, if the
6 22 expenditures are fully reimbursable and the division first
6 23 does both of the following:

6 24 (1) Notifies the department of management, the legislative
6 25 services agency, and the legislative fiscal committee of the

Permits the Insurance Division to reallocate FTE positions as necessary to meet national accreditation standards. Also, permits examination expenditures of the Division to exceed revenues if the expenditures are reimbursable. The Division is required to notify the DOM, the LSA, and the Legislative Fiscal Committee of the need for examination expenses to exceed revenues and requires justification and an estimate of the excess expenditures.

6 26 need for the expenditures.
 6 27 (2) Files with each of the entities named in subparagraph
 6 28 (1) the legislative and regulatory justification for the
 6 29 expenditures, along with an estimate of the expenditures.

6 30 d. The insurance division shall allocate \$10,000 from the
 6 31 examination receipts for the payment of its fees to the
 6 32 national conference of insurance legislators.

Allocates \$10,000 from the Insurance Division's examination receipts for the payment of annual dues for the National Council of Insurance Legislators (NCOIL).

FISCAL IMPACT: Fees deposited in the General Fund will be reduced by \$10,000.

6 33 5. UTILITIES DIVISION
 6 34 a. For salaries, support, maintenance, and miscellaneous
 6 35 purposes, and for not more than the following full-time
 7 1 equivalent positions:
 7 2 \$ 7,255,940
 7 3 FTEs 79.00

General Fund appropriation to the Utilities Division of the Department of Commerce.

DETAIL: This is a decrease of \$539,587 and no change in FTE positions compared to the estimated net FY 2009 appropriation.

FISCAL IMPACT: The cost of the Utilities Division's activities are reimbursed from fees charged to the utility industry and are deposited in the General Fund. At the end of the fiscal year, the total of all fees will equal the Division's General Fund appropriation. A reduction to the General Fund appropriation reduces the Utilities Division's expenses and therefore, the fees charged to the utility industry are reduced. The appropriation reduction in this Bill will reduce General Fund receipts by \$539,587.

7 4 b. The utilities division may expend additional funds,
 7 5 including funds for additional personnel, if those additional
 7 6 expenditures are actual expenses which exceed the funds
 7 7 budgeted for utility regulation and the expenditures are fully
 7 8 reimbursable. Before the division expends or encumbers an
 7 9 amount in excess of the funds budgeted for regulation, the
 7 10 division shall first do both of the following:
 7 11 (1) Notify the department of management, the legislative
 7 12 services agency, and the legislative fiscal committee of the
 7 13 need for the expenditures.

Permits the Utilities Division to expend additional funds for utility company examinations, including expenditures for additional personnel, if the funds are reimbursable. The Division must notify the DOM, the LSA, and the Legislative Fiscal Committee of the expenditure or encumbrance of funds in excess of the amount budgeted for utility regulation, and provide justification and an estimate of the excess expenditures.

7 14 (2) File with each of the entities named in subparagraph
 7 15 (1) the legislative and regulatory justification for the
 7 16 expenditures, along with an estimate of the expenditures.

7 17 c. Notwithstanding sections 8.33 and 476.10 or any other
 7 18 provision to the contrary, any balance of the appropriation
 7 19 made in this subsection for the utilities division or any
 7 20 other operational appropriation made for the fiscal year
 7 21 beginning July 1, 2009, and ending June 30, 2010, that remains
 7 22 unused, unencumbered, or unobligated at the close of the
 7 23 fiscal year shall not revert but shall remain available to be
 7 24 used for purposes of the energy-efficient building project
 7 25 authorized under section 476.10B, or for relocation costs in
 7 26 succeeding fiscal years.

CODE: Requires any unobligated funds remaining from the FY 2010 appropriation to the Utilities Division to carry forward to FY 2011 and be used for the energy-efficient building project or relocation costs.

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* 1 37 #2. By striking page 5, line 13, through page 7,
 * 1 38 line 27, and inserting the following:
 * 1 39 "SEC. . DEPARTMENT OF COMMERCE.
 * 1 40 1. There is appropriated from the general fund of
 * 1 41 the state to the department of commerce for the fiscal
 * 1 42 year beginning July 1, 2009, and ending June 30, 2010,
 * 1 43 the following amounts, or so much thereof as is
 * 1 44 necessary, for the purposes designated:
 * 1 45 a. ALCOHOLIC BEVERAGES DIVISION
 * 1 46 For salaries, support, maintenance, and
 * 1 47 miscellaneous purposes, and for not more than the
 * 1 48 following full-time equivalent positions:
 * 1 49 \$ 2,007,160
 * 1 50 FTEs 37.00
 * 2 1 b. PROFESSIONAL LICENSING AND REGULATION BUREAU
 * 2 2 For salaries, support, maintenance, and
 * 2 3 miscellaneous purposes, and for not more than the
 * 2 4 following full-time equivalent positions:
 * 2 5 \$ 900,553
 * 2 6 FTEs 16.00

SENATE AMENDMENT: Strikes the Section of the Bill that makes General Fund appropriations to the Department of Commerce and replaces the Section with language to conform with the creation of the Commerce Revolving Fund.

Subparagraphs a through c add back the General Fund appropriations to the Department of Commerce for the Alcoholic Beverages Division, the Professional Licensing Bureau, and the Senior Health Insurance Information Program. These appropriations are not being funded from the Commerce Revolving Fund.

* 2 7 c. INSURANCE DIVISION == SENIOR HEALTH INSURANCE
 * 2 8 INFORMATION PROGRAM
 * 2 9 For the use of the senior health insurance
 * 2 10 information program:
 * 2 11 \$ 52,253

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* 2 12 2. There is appropriated from the department of
 * 2 13 commerce revolving fund created in section 546.12, if
 * 2 14 enacted by this Act, to the department of commerce for
 * 2 15 the fiscal year beginning July 1, 2009, and ending
 * 2 16 June 30, 2010, the following amounts, or so much
 * 2 17 thereof as is necessary, for the purposes designated:
 * 2 18 a. BANKING DIVISION
 * 2 19 For salaries, support, maintenance, and
 * 2 20 miscellaneous purposes, and for not more than the
 * 2 21 following full-time equivalent positions:
 * 2 22 \$ 8,662,670
 * 2 23 FTEs 73.00

SENATE AMENDMENT: Appropriates funding from the Department of Commerce Revolving Fund to the Banking Division at the estimated net FY 2009 appropriation level.

FISCAL IMPACT: The cost of the Banking Division's activities are reimbursed from fees charged to the banking industry and will be deposited in the Department of Commerce Revolving Fund. This change will reduce General Fund receipts by \$8,662,670.

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* 2 24 b. CREDIT UNION DIVISION
 * 2 25 For salaries, support, maintenance, and
 * 2 26 miscellaneous purposes, and for not more than the
 * 2 27 following full-time equivalent positions:
 * 2 28 \$ 1,727,995
 * 2 29 FTEs 19.00

SENATE AMENDMENT: Appropriates funding from the Department of Commerce Revolving Fund to the Credit Union Division at the estimated net FY 2009 appropriation level.

FISCAL IMPACT: The cost of the Credit Union Division's activities are reimbursed from fees charged to the credit union industry and will be deposited in the Department of Commerce Revolving Fund. This change will reduce General Fund receipts by \$1,727,995.

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* 2 30 c. INSURANCE DIVISION
 * 2 31 (1) For salaries, support, maintenance, and
 * 2 32 miscellaneous purposes, and for not more than the
 * 2 33 following full-time equivalent positions:
 * 2 34 \$ 4,881,216
 * 2 35 FTEs 102.00

SENATE AMENDMENT: Appropriates funding from the Department of Commerce Revolving Fund to the Insurance Division at the estimated net FY 2009 appropriation level.

FISCAL IMPACT: The cost of the Insurance Division's activities are reimbursed from fees charged to the insurance industry and are deposited in the Department of Commerce Revolving Fund. This change will reduce General Fund receipts by \$4,881,216.

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- * 2 36 (2) The insurance division may reallocate
 * 2 37 authorized full-time equivalent positions as necessary
 * 2 38 to respond to accreditation recommendations or
 * 2 39 requirements. The insurance division expenditures for
 * 2 40 examination purposes may exceed the projected
 * 2 41 receipts, refunds, and reimbursements, estimated
 * 2 42 pursuant to section 505.7, subsection 7, including the
 * 2 43 expenditures for retention of additional personnel, if
 * 2 44 the expenditures are fully reimbursable and the
 * 2 45 division first does both of the following:
 * 2 46 (a) Notifies the department of management, the
 * 2 47 legislative services agency, and the legislative
 * 2 48 fiscal committee of the need for the expenditures.
 * 2 49 (b) Files with each of the entities named in
 * 2 50 subparagraph division (a) the legislative and
 * 3 1 regulatory justification for the expenditures, along
 * 3 2 with an estimate of the expenditures.
 * 3 3 (3) The insurance division shall allocate \$10,000
 * 3 4 from the examination receipts for the payment of its
 * 3 5 fees to the national conference of insurance
 * 3 6 legislators.

SENATE AMENDMENT: Permits the Insurance Division to reallocate FTE positions as necessary to meet national accreditation standards. Also, permits examination expenditures of the Division to exceed revenues if the expenditures are reimbursable. The Division is required to notify the DOM, the LSA, and the Legislative Fiscal Committee of the need for examination expenses to exceed revenues and requires justification and an estimate of the excess expenditures.

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- * 3 7 d. UTILITIES DIVISION
 * 3 8 (1) For salaries, support, maintenance, and
 * 3 9 miscellaneous purposes, and for not more than the
 * 3 10 following full-time equivalent positions:
 * 3 11 \$ 7,795,527
 * 3 12 FTEs 79.00

SENATE AMENDMENT: Appropriates funding from the Department of Commerce Revolving Fund to the Utilities Division at the estimated net FY 2009 appropriation level.

FISCAL IMPACT: The cost of the Utilities Division's activities are reimbursed from fees charged to the utility industry and are deposited in the Department of Commerce Revolving Fund. This change will reduce General Fund receipts by \$7,795,527.

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- * 3 13 (2) The utilities division may expend additional
 * 3 14 funds, including funds for additional personnel, if
 * 3 15 those additional expenditures are actual expenses
 * 3 16 which exceed the funds budgeted for utility regulation

SENATE AMENDMENT: Permits the Utilities Division to expend additional funds for utility company examinations, including expenditures for additional personnel, if the funds are reimbursable. The Division must notify the DOM, the LSA, and the Legislative Fiscal Committee of the expenditure or encumbrance of funds in excess of

PG LN

HF809 as amended by H-1662

Explanation

* 3 17 and the expenditures are fully reimbursable. Before
* 3 18 the division expends or encumbers an amount in excess
* 3 19 of the funds budgeted for regulation, the division
* 3 20 shall first do both of the following:
* 3 21 (a) Notify the department of management, the
* 3 22 legislative services agency, and the legislative
* 3 23 fiscal committee of the need for the expenditures.
* 3 24 (b) File with each of the entities named in
* 3 25 subparagraph division (a) the legislative and
* 3 26 regulatory justification for the expenditures, along
* 3 27 with an estimate of the expenditures.

the amount budgeted for utility regulation, and provide justification and an estimate of the excess expenditures.

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* 3 28 (3) Notwithstanding sections 8.33 and 476.10 or
* 3 29 any other provision to the contrary, any balance of
* 3 30 the appropriation made in this paragraph for the
* 3 31 utilities division or any other operational
* 3 32 appropriation made for the fiscal year beginning July
* 3 33 1, 2009, and ending June 30, 2010, that remains
* 3 34 unused, unencumbered, or unobligated at the close of
* 3 35 the fiscal year shall not revert but shall remain
* 3 36 available to be used for purposes of the
* 3 37 energy=efficient building project authorized under
* 3 38 section 476.10B, or for relocation costs in succeeding
* 3 39 fiscal years.
* 3 40 3. CHARGES == TRAVEL".

SENATE AMENDMENT:

CODE: Requires any unobligated funds remaining from the FY 2010 appropriation to the Utilities Division to carry forward to FY 2011 and be used for the energy-efficient building project or relocation costs.

7 27 6. CHARGES == TRAVEL
7 28 Each division and the office of consumer advocate shall
7 29 include in its charges assessed or revenues generated an
7 30 amount sufficient to cover the amount stated in its
7 31 appropriation and any state=assessed indirect costs determined
7 32 by the department of administrative services. The director of
7 33 the department of commerce shall review on a quarterly basis
7 34 all out=of=state travel for the previous quarter for officers
7 35 and employees of each division of the department if the travel

Requires all divisions of the Department of Commerce and the Office of Consumer Advocate to include in billings an amount sufficient to cover the General Fund appropriation and any State-assessed indirect costs.

8 1 is not already authorized by the executive council.

8 2 Sec. 8. DEPARTMENT OF COMMERCE == PROFESSIONAL LICENSING
 8 3 AND REGULATION BUREAU. There is appropriated from the housing
 8 4 trust fund of the Iowa finance authority created in section
 8 5 16.181, to the bureau of professional licensing and regulation
 8 6 of the banking division of the department of commerce for the
 8 7 fiscal year beginning July 1, 2009, and ending June 30, 2010,
 8 8 the following amount, or so much thereof as is necessary, to
 8 9 be used for the purposes designated:
 8 10 For salaries, support, maintenance, and miscellaneous
 8 11 purposes:
 8 12 \$ 62,317

Housing Improvement Fund appropriation to the Professional
 Licensing and Regulation Bureau.

DETAIL: Maintains the current level of funding. The funds are used
 by the Department to conduct audits of real estate broker trust funds.

8 13 Sec. 9. GOVERNOR AND LIEUTENANT GOVERNOR. There is
 8 14 appropriated from the general fund of the state to the offices
 8 15 of the governor and the lieutenant governor for the fiscal
 8 16 year beginning July 1, 2009, and ending June 30, 2010, the
 8 17 following amounts, or so much thereof as is necessary, to be
 8 18 used for the purposes designated:
 8 19 1. GENERAL OFFICE
 8 20 For salaries, support, maintenance, and miscellaneous
 8 21 purposes for the general office of the governor and the
 8 22 general office of the lieutenant governor, and for not more
 8 23 than the following full-time equivalent positions:
 8 24 \$ 1,893,857
 8 25 FTEs 25.25

General Fund appropriation to the Office of the Governor and
 Lieutenant Governor.

DETAIL: This is a decrease of \$641,125 and 1.00 FTE position
 compared to the estimated FY 2009 appropriation. This includes:

- A decrease of \$93,000 and 1.00 FTE. This position is being
 transferred to the Rebuild Iowa Office and will be funded primarily
 with federal funds.
- A decrease of \$548,125 for a general budget reduction.

8 26 2. TERRACE HILL QUARTERS
 8 27 For salaries, support, maintenance, and miscellaneous
 8 28 purposes for the governor's quarters at Terrace Hill, and for
 8 29 not more than the following full-time equivalent positions:
 8 30 \$ 438,101
 8 31 FTEs 10.00

General Fund appropriation for support of the Terrace Hill Quarters.

DETAIL: This is a decrease of \$77,266 and no change in FTE
 positions compared to the estimated net FY 2009 appropriation.

8 32 3. ADMINISTRATIVE RULES COORDINATOR

General Fund appropriation for the Administrative Rules Coordinator.

PG LN	HF809 as amended by H-1662	Explanation
8 33	For salaries, support, maintenance, and miscellaneous	DETAIL: This is a decrease of \$34,255 and no change in FTE positions compared to the estimated net FY 2009 appropriation.
8 34	purposes for the office of administrative rules coordinator,	
8 35	and for not more than the following full=time equivalent	
9 1	positions:	
9 2	..... \$ 141,297
9 3 FTEs 3.00	
9 4	4. NATIONAL GOVERNORS ASSOCIATION	General Fund appropriation for the payment of dues to the National Governors Association.
9 5	For payment of Iowa's membership in the national governors	DETAIL: This is a decrease of \$9,817 compared to the estimated net FY 2009 appropriation.
9 6	association:	
9 7 \$ 70,783	
9 8	5. STATE=FEDERAL RELATIONS	General Fund appropriation to the State-Federal Relations Office.
9 9	For salaries, support, maintenance, and miscellaneous	DETAIL: This is a decrease of \$94,615 and 1.00 FTE position compared to the estimated FY 2009 appropriation. This includes:
9 10	purposes for the office for state=federal relations, and for	
9 11	not more than the following full=time equivalent positions:	
9 12	..... \$ 46,620
9 13	..... FTEs 1.00
9 14	Sec. 10. GOVERNOR'S OFFICE OF DRUG CONTROL POLICY. There	General Fund appropriation to the Office of Drug Control Policy.
9 15	is appropriated from the general fund of the state to the	
9 16	governor's office of drug control policy for the fiscal year	
9 17	beginning July 1, 2009, and ending June 30, 2010, the	
9 18	following amount, or so much thereof as is necessary, to be	
9 19	used for the purposes designated:	DETAIL: This is a decrease of \$9,498 and no change in FTE positions compared to the estimated net FY 2009 appropriation.
9 20	For salaries, support, maintenance, and miscellaneous	
9 21	purposes, including statewide coordination of the drug abuse	
9 22	resistance education (D.A.R.E.) programs or similar programs,	
9 23	and for not more than the following full=time equivalent	
9 24	positions:	
9 25	..... \$ 348,368

PG LN	HF809 as amended by H-1662	Explanation
9 26	..... FTEs 8.00	
9 27	Sec. 11. DEPARTMENT OF HUMAN RIGHTS. There is	
9 28	appropriated from the general fund of the state to the	
9 29	department of human rights for the fiscal year beginning July	
9 30	1, 2009, and ending June 30, 2010, the following amounts, or	
9 31	so much thereof as is necessary, to be used for the purposes	
9 32	designated:	
9 33	1. CENTRAL ADMINISTRATION DIVISION	General Fund appropriation to the Central Administration Division of
9 34	For salaries, support, maintenance, and miscellaneous	the Department of Human Rights.
9 35	purposes, and for not more than the following full-time	
10 1	equivalent positions:	DETAIL: This is a decrease of \$52,310 and no change in FTE
10 2	..... \$ 306,777	positions compared to the estimated net FY 2009 appropriation.
10 3	..... FTEs 7.00	
10 4	2. DEAF SERVICES DIVISION	General Fund appropriation to the Deaf Services Division of the
10 5	For salaries, support, maintenance, and miscellaneous	Department of Human Rights.
10 6	purposes, and for not more than the following full-time	
10 7	equivalent positions:	DETAIL: This is a decrease of \$46,067 and no change in FTE
10 8	..... \$ 378,792	positions compared to the estimated net FY 2009 appropriation.
10 9	..... FTEs 6.00	
10 10	3. STATUS OF IOWANS OF ASIAN AND PACIFIC ISLANDER HERITAGE	General Fund appropriation to the Status of Iowans of Asian and
10 11	DIVISION	Pacific Islander Heritage Division of the Department of Human Rights.
10 12	For salaries, support, maintenance, and miscellaneous	
10 13	purposes, and for not more than the following full-time	DETAIL: This is a decrease of \$16,228 and no change in FTE
10 14	equivalent positions:	positions compared to the estimated net FY 2009 appropriation.
10 15	..... \$ 133,430	
10 16	..... FTEs 1.00	
10 17	4. PERSONS WITH DISABILITIES DIVISION	General Fund appropriation to the Persons with Disabilities Division of
10 18	For salaries, support, maintenance, and miscellaneous	the Department of Human Rights.
10 19	purposes, and for not more than the following full-time	DETAIL: This is a decrease of \$25,324 and no change in FTE

PG LN	HF809 as amended by H-1662	Explanation
10 20	equivalent positions:	positions compared to the estimated net FY 2009 appropriation.
10 21	..... \$ 208,231	
10 22	..... FTEs 3.20	
10 23	5. LATINO AFFAIRS DIVISION	General Fund appropriation to the Status of Latino Affairs Division of the Department of Human Rights.
10 24	For salaries, support, maintenance, and miscellaneous	
10 25	purposes, and for not more than the following full=time	
10 26	equivalent positions:	DETAIL: This is a decrease of \$21,659 and no change in FTE positions compared to the estimated net FY 2009 appropriation.
10 27	..... \$ 178,100	
10 28	..... FTEs 3.00	
10 29	6. STATUS OF WOMEN DIVISION	General Fund appropriation to the Status of Women Division of the Department of Human Rights.
10 30	For salaries, support, maintenance, and miscellaneous	
10 31	purposes, including the domestic violence and sexual	
10 32	assault=related grants, and for not more than the following	DETAIL: This is a decrease of \$38,416 and an increase of 1.0 FTE position compared to the estimated net FY 2009 appropriation.
10 33	full=time equivalent positions:	
10 34	..... \$ 315,883	
10 35	..... FTEs 4.00	
11 1	7. STATUS OF AFRICAN=AMERICANS DIVISION	General Fund appropriation to the Status of African Americans Division of the Department of Human Rights.
11 2	For salaries, support, maintenance, and miscellaneous	
11 3	purposes, and for not more than the following full=time	
11 4	equivalent positions:	DETAIL: This is a decrease of \$20,284 and no change in FTE positions compared to the estimated net FY 2009 appropriation.
11 5	..... \$ 166,796	
11 6	..... FTEs 2.00	
11 7	8. NATIVE AMERICAN AFFAIRS DIVISION	General Fund appropriation to the Native American Affairs Division of the Department of Human Rights.
11 8	For operation costs and travel reimbursement for members of	
11 9	the commission on Native American affairs:	
11 10	..... \$ 5,352	DETAIL: This is a decrease of \$558 compared to the estimated net FY 2009 appropriation.
11 11	9. CRIMINAL AND JUVENILE JUSTICE PLANNING DIVISION	General Fund appropriation to the Criminal and Juvenile Justice Planning Division of the Department of Human Rights.
11 12	For salaries, support, maintenance, and miscellaneous	

PG LN	HF809 as amended by H-1662	Explanation
11 13	purposes, and for not more than the following full=	DETAIL: This is a decrease of \$173,604 and no change in FTE positions compared to the estimated net FY 2009 appropriation.
11 14	equivalent positions:	
11 15	..... \$ 1,427,472
11 16	..... FTEs 11.18
11 17	The criminal and juvenile justice planning advisory council	Requires the Criminal and Juvenile Justice Planning Advisory Council and the Juvenile Justice Advisory Council to coordinate efforts in performing juvenile justice duties.
11 18	and the juvenile justice advisory council shall coordinate	
11 19	their efforts in carrying out their respective duties relative	
11 20	to juvenile justice.	
11 21	10. SHARED STAFF	Requires the divisions within the Department of Human Rights to share staff.
11 22	The divisions of the department of human rights shall	
11 23	retain their individual administrators, but shall share staff	
11 24	to the greatest extent possible.	
11 25	11. DEPARTMENT STUDY == REPORT	Requires the Department of Human Rights to conduct a study on the reorganization of the Department. Requires the Department to submit a report to the General Assembly by January 1, 2010.
11 26	The department of human rights shall conduct a study to	
11 27	examine the organization and duties of the department and	
11 28	whether reorganizing the structure of the department could	
11 29	provide enhanced services to lowans in a more efficient	
11 30	manner. The department shall submit a written report to the	
11 31	general assembly by January 1, 2010, concerning the results of	
11 32	the study, including its findings and recommendations.	
11 33	Sec. 12. DEPARTMENT OF INSPECTIONS AND APPEALS. There is	
11 34	appropriated from the general fund of the state to the	
11 35	department of inspections and appeals for the fiscal year	
12 1	beginning July 1, 2009, and ending June 30, 2010, the	
12 2	following amounts, or so much thereof as is necessary, for the	
12 3	purposes designated:	
12 4	1. ADMINISTRATION DIVISION	General Fund appropriation to the Administration Division of the Department of Inspections and Appeals (DIA).
12 5	For salaries, support, maintenance, and miscellaneous	
12 6	purposes, and for not more than the following full=	

PG LN	HF809 as amended by H-1662	Explanation
12 7	equivalent positions:	DETAIL: This is a decrease of \$243,844 and no change in FTE positions compared to the estimated net FY 2009 appropriation.
12 8	..... \$ 2,005,011
12 9	..... FTEs 39.25
12 10	As a condition of receiving funding appropriated in this	Requires the Department to provide continued funding for the Targeted Small Business (TSB) Certification Employee position.
12 11	subsection, the department shall maintain the targeted small	
12 12	business certification employee position within the division.	
12 13	2. ADMINISTRATIVE HEARINGS DIVISION	General Fund appropriation to the Administrative Hearings Division of the DIA.
12 14	For salaries, support, maintenance, and miscellaneous	
12 15	purposes, and for not more than the following full=time	
12 16	equivalent positions:	DETAIL: This is a decrease of \$82,373 and no change in FTE positions compared to the estimated net FY 2009 appropriation.
12 17	..... \$ 677,317
12 18	..... FTEs 24.00
12 19	3. INVESTIGATIONS DIVISION	General Fund appropriation to the Investigations Division of the DIA.
12 20	For salaries, support, maintenance, and miscellaneous	
12 21	purposes, and for not more than the following full=time	
12 22	equivalent positions:	DETAIL: This is a decrease of \$176,704 and an increase of 1.00 FTE position compared to the estimated net FY 2009 appropriation.
12 23	..... \$ 1,452,962
12 24	..... FTEs 50.00
12 25	4. HEALTH FACILITIES DIVISION	General Fund appropriation to the Health Facilities Division of the DIA.
12 26	For salaries, support, maintenance, and miscellaneous	
12 27	purposes, and for not more than the following full=time	
12 28	equivalent positions:	DETAIL: This is a decrease of \$271,859 and no change in FTE positions compared to the estimated net FY 2009 appropriation.
12 29 \$ 2,235,383	
12 30 FTEs 140.75	

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- * 3 43 #4. Page 12, by inserting after line 30 the
- * 3 44 following:
- * 3 45 "b. The department shall, in coordination with the
- * 3 46 health facilities division, make the following

SENATE AMENDMENT:

CODE: Specifies the intent of the General Assembly to require the Department of Inspections and Appeals to provide information to the public via the internet relating to inspections, operating costs, and FTE positions.

* 3 47 information available to the public in a timely
 * 3 48 manner, to include providing the information on the
 * 3 49 department's internet website, during the fiscal year
 * 3 50 beginning July 1, 2009, and ending June 30, 2010:
 * 4 1 (1) The number of inspections conducted by the
 * 4 2 division annually by type of service provider and type
 * 4 3 of inspection.
 * 4 4 (2) The total annual operations budget for the
 * 4 5 division, including general fund appropriations and
 * 4 6 federal contract dollars received by type of service
 * 4 7 provider inspected.
 * 4 8 (3) The total number of full-time equivalent
 * 4 9 positions in the division, to include the number of
 * 4 10 full-time equivalent positions serving in a
 * 4 11 supervisory capacity, and serving as surveyors,
 * 4 12 inspectors, or monitors in the field by type of
 * 4 13 service provider inspected.
 * 4 14 (4) Identification of state and federal survey
 * 4 15 trends, cited regulations, the scope and severity of
 * 4 16 deficiencies identified, and federal and state fines
 * 4 17 assessed and collected concerning nursing and assisted
 * 4 18 living facilities and programs.
 * 4 19 c. It is the intent of the general assembly that
 * 4 20 the department and division continuously solicit input
 * 4 21 from facilities regulated by the division to assess
 * 4 22 and improve the division's level of collaboration and
 * 4 23 to identify new opportunities for cooperation."

12 31 5. EMPLOYMENT APPEAL BOARD
 12 32 For salaries, support, maintenance, and miscellaneous
 12 33 purposes, and for not more than the following full-time
 12 34 equivalent positions:
 12 35 \$ 51,465
 13 1 FTEs 15.00

General Fund appropriation to the Employment Appeal Board.

DETAIL: This is a decrease of \$6,259 and no change in FTE positions compared to the estimated net FY 2009 appropriation.

13 2 The employment appeal board shall be reimbursed by the

Permits the Board to expend funds, as necessary, for hearings related

13 3 labor services division of the department of workforce
 13 4 development for all costs associated with hearings conducted
 13 5 under chapter 91C, related to contractor registration. The
 13 6 board may expend, in addition to the amount appropriated under
 13 7 this subsection, additional amounts as are directly billable
 13 8 to the labor services division under this subsection and to
 13 9 retain the additional full-time equivalent positions as needed
 13 10 to conduct hearings required pursuant to chapter 91C.

to contractor registration. The costs for these hearings are required to be reimbursed by the Labor Services Division of the Department of Workforce Development.

13 11 6. CHILD ADVOCACY BOARD
 13 12 For foster care review and the court appointed special
 13 13 advocate program, including salaries, support, maintenance,
 13 14 and miscellaneous purposes, and for not more than the
 13 15 following full-time equivalent positions:
 13 16 \$ 2,920,367
 13 17 FTEs 45.12

General Fund appropriation to the Child Advocacy Board.

DETAIL: This is an increase of \$59,730 and no change in FTE positions compared to the estimated net FY 2009 appropriation.

13 18 a. The department of human services, in coordination with
 13 19 the child advocacy board and the department of inspections and
 13 20 appeals, shall submit an application for funding available
 13 21 pursuant to Title IV-E of the federal Social Security Act for
 13 22 claims for child advocacy board administrative review costs.

Requires the Department of Human Services, the Child Care Advocacy Board, and the DIA to cooperate in filing an application for federal funds for Child Care Advocacy Board administrative review costs.

13 23 b. The court appointed special advocate program shall
 13 24 investigate and develop opportunities for expanding fund=
 13 25 raising for the program.

Requires the Court-Appointed Special Advocate Program to seek additional donations and grants.

13 26 c. Administrative costs charged by the department of
 13 27 inspections and appeals for items funded under this subsection
 13 28 shall not exceed 4 percent of the amount appropriated in this
 13 29 subsection.

Limits the administrative costs that the DIA can charge the Board to 4.00% of the funds appropriated. The maximum limit is \$116,815.

13 30 d. Notwithstanding any provision of sections 237.18 and
 13 31 237.20 to the contrary, the child advocacy board may establish

CODE: Permits the Child Advocacy Board to establish up to six pilot projects to examine alternative policies to guide the processes and

13 32 up to six pilot projects using alternative policies to guide
 13 33 the selection of cases and the procedures used by local
 13 34 citizen foster care review boards as they review cases of
 13 35 children who received or are receiving foster care or other
 14 1 out-of-home placement services while under the supervision of
 14 2 the department of human services. Policies to guide the pilot
 14 3 project case selection, review time frames and reporting
 14 4 formats shall be approved by the department of human services,
 14 5 state court administrator, and the chief judge of any judicial
 14 6 district in which a pilot project is to be implemented. The
 14 7 child advocacy board shall report to the governor and general
 14 8 assembly by January 1, 2010, on the progress of any new
 14 9 approaches and their impact on efficiencies and case outcomes.

procedures by local citizen foster care review boards. Requires a report of the Board's progress to be submitted to the Governor and the General Assembly by January 1, 2010.

14 10 Sec. 13. RACING AND GAMING COMMISSION.

14 11 1. RACETRACK REGULATION

14 12 There is appropriated from the general fund of the state to
 14 13 the racing and gaming commission of the department of
 14 14 inspections and appeals for the fiscal year beginning July 1,
 14 15 2009, and ending June 30, 2010, the following amount, or so
 14 16 much thereof as is necessary, to be used for the purposes
 14 17 designated:

14 18 For salaries, support, maintenance, and miscellaneous
 14 19 purposes for the regulation of pari-mutuel racetracks, and for
 14 20 not more than the following full-time equivalent positions:

14 21 \$ 2,653,308

14 22 FTEs 28.53

General Fund appropriation to the Racing and Gaming Commission for regulation of racetrack casinos.

DETAIL: This is a decrease of \$277,274 and no change in FTE positions compared to the estimated net FY 2009 appropriation.

FISCAL IMPACT: The regulatory costs of racetracks are reimbursed by the pari-mutuel establishments and the receipts are deposited in the General Fund. A reduction to the Commission's appropriation reduces the billable expenditures and receipts to the General Fund. The appropriation reduction in this Bill will reduce General Fund receipts by \$277,274.

14 23 2. EXCURSION BOAT AND GAMBLING STRUCTURE REGULATION

14 24 There is appropriated from the general fund of the state to
 14 25 the racing and gaming commission of the department of
 14 26 inspections and appeals for the fiscal year beginning July 1,
 14 27 2009, and ending June 30, 2010, the following amount, or so
 14 28 much thereof as is necessary, to be used for the purposes
 14 29 designated:

General Fund appropriation to the Racing and Gaming Commission for regulation of excursion gambling boats.

DETAIL: This is a decrease of \$321,316 and no change in FTE positions compared to the estimated net FY 2009 appropriation.

FISCAL IMPACT: The regulatory costs of riverboats are reimbursed

PG LN	HF809 as amended by H-1662	Explanation
14 30	For salaries, support, maintenance, and miscellaneous	by the riverboat establishments and the receipts are deposited in the General Fund. A reduction to the Commission's appropriation reduces the billable expenditures and receipts to the General Fund. The appropriation reduction in this Bill will reduce General Fund receipts by \$321,316.
14 31	purposes for administration and enforcement of the excursion	
14 32	boat gambling and gambling structure laws, and for not more	
14 33	than the following full-time equivalent positions:	
14 34	..... \$ 3,050,753
14 35 FTEs 42.22	
15 1	Sec. 14. ROAD USE TAX FUND APPROPRIATION == DEPARTMENT OF	Road Use Tax Fund appropriation to the Administrative Hearings Division of the Department of Inspections and Appeals.
15 2	INSPECTIONS AND APPEALS. There is appropriated from the road	
15 3	use tax fund to the administrative hearings division of the	DETAIL: Maintains the current level of funding. The funds are used to cover costs associated with administrative hearings related to driver license revocations.
15 4	department of inspections and appeals for the fiscal year	
15 5	beginning July 1, 2009, and ending June 30, 2010, the	
15 6	following amount, or so much thereof as is necessary, for the	
15 7	purposes designated:	
15 8	For salaries, support, maintenance, and miscellaneous	
15 9	purposes:	
15 10 \$ 1,623,897	
15 11	Sec. 15. DEPARTMENT OF MANAGEMENT. There is appropriated	General Fund appropriation to the Department of Management.
15 12	from the general fund of the state to the department of	
15 13	management for the fiscal year beginning July 1, 2009, and	DETAIL: This is a decrease of \$442,109 and 1.00 FTE position compared to the estimated net FY 2009 appropriation. The reduction of 1.00 FTE position is associated with the repeal of the Grants Enterprise Management Office in Division III of this Bill. This position was funded with \$160,000 in indirect cost recovery reimbursements that are otherwise deposited in the General Fund. The purpose of the Office is to develop and administer a system to track, identify, advocate for, and coordinate non-state grants.
15 14	ending June 30, 2010, the following amounts, or so much	
15 15	thereof as is necessary, to be used for the purposes	
15 16	designated:	
15 17	1. For salaries, support, maintenance, and miscellaneous	
15 18	purposes, and for not more than the following full-time	
15 19	equivalent positions:	
15 20 \$ 2,811,511	
15 21 FTEs 36.50	
*H-1662		SENATE AMENDMENT: Increases the authorized FTE positions for the Department of Management by 1.00 FTE position.
* 4 24	<u>#5. Page 15, by striking line 21 and inserting the</u>	
* 4 25	<u>following:</u>	
* 4 26	<u>"..... FTEs 37.50"</u>	
15 22	Of the moneys appropriated in this subsection, the	Requires the DOM to maintain positions for certain programs

PG LN	HF809 as amended by H-1662	Explanation
15 23 15 24 15 25 15 26	department shall use a portion for enterprise resource planning, providing for a salary model administrator, conducting performance audits, and for the department's LEAN process.	operated within the Department.
15 27 15 28 15 29	2. For establishing a searchable budget and tax rate database and website: \$ 5,000	Appropriates \$5,000 for a searchable budget database and website if legislation is enacted requiring the Department to establish the database and website.
15 30 15 31 15 32 15 33 15 34	3. For transfer to the open meetings, public records, and privacy advisory committee, if enacted by the 2009 Session of the Eighty-third General Assembly, for expenses for meetings of the advisory committee: \$ 5,500	Appropriates \$5,500 for open meetings, public records, privacy advisory committee if legislation is enacted requiring the Department to establish the committee.
*H-1662 * 4 27	<u>#6. Page 15, by striking lines 27 through 34.</u>	SENATE AMENDMENT: Strikes appropriations for the searchable budget and tax rate database and the open meetings privacy advisory committee.
15 35 16 1 16 2 16 3 16 4 16 5 16 6 16 7	Sec. 16. ROAD USE TAX APPROPRIATION. There is appropriated from the road use tax fund to the department of management for the fiscal year beginning July 1, 2009, and ending June 30, 2010, the following amount, or so much thereof as is necessary, to be used for the purposes designated: For salaries, support, maintenance, and miscellaneous purposes: \$ 56,000	Road Use Tax Fund appropriation to the DOM for support and services provided to the Department of Transportation. DETAIL: Maintains the current level of funding.
16 8 16 9 16 10 16 11 16 12 16 13	Sec. 17. DEPARTMENT OF REVENUE. There is appropriated from the general fund of the state to the department of revenue for the fiscal year beginning July 1, 2009, and ending June 30, 2010, the following amounts, or so much thereof as is necessary, to be used for the purposes designated: For salaries, support, maintenance, and miscellaneous	General Fund appropriation to the Department of Revenue. DETAIL: This is a decrease of \$3,577,608 and an increase of 0.99 FTE position compared to the estimated net FY 2009 appropriation.

PG LN	HF809 as amended by H-1662	Explanation
16 14	purposes, and for not more than the following full=	
16 15	equivalent positions:	
16 16	..... \$ 22,754,688	
16 17	..... FTEs 400.00	
16 18	Of the funds appropriated pursuant to this section,	Requires \$400,000 of the Department's General Fund appropriation to
16 19	\$400,000 shall be used to pay the direct costs of compliance	be used to pay the costs related to Local Option Sales and Services
16 20	related to the collection and distribution of local sales and	Taxes.
16 21	services taxes imposed pursuant to chapters 423B and 423E.	
16 22	The director of revenue shall prepare and issue a state	Requires the Director of the Department of Revenue to prepare and
16 23	appraisal manual and the revisions to the state appraisal	issue a State Appraisal Manual at no cost to cities and counties.
16 24	manual as provided in section 421.17, subsection 17, without	
16 25	cost to a city or county.	DETAIL: County and city assessors are mandated by statute to use the Manual in completing assessments of real property.
16 26	Sec. 18. MOTOR VEHICLE FUEL TAX APPROPRIATION. There is	Motor Vehicle Fuel Tax Fund appropriation to the Department of
16 27	appropriated from the motor fuel tax fund created by section	Revenue for administration and enforcement of the Motor Vehicle Use
16 28	452A.77 to the department of revenue for the fiscal year	Tax Program.
16 29	beginning July 1, 2009, and ending June 30, 2010, the	
16 30	following amount, or so much thereof as is necessary, to be	DETAIL: Maintains current level of funding.
16 31	used for the purposes designated:	
16 32	For salaries, support, maintenance, and miscellaneous	
16 33	purposes for administration and enforcement of the provisions	
16 34	of chapter 452A and the motor vehicle use tax program:	
16 35	..... \$ 1,305,775	
17 1	Sec. 19. SECRETARY OF STATE. There is appropriated from	General Fund appropriation to the Office of the Secretary of State.
17 2	the general fund of the state to the office of the secretary	
17 3	of state for the fiscal year beginning July 1, 2009, and	DETAIL: This is a decrease of \$284,328 and an increase of 2.00 FTE
17 4	ending June 30, 2010, the following amounts, or so much	positions compared to the estimated net FY 2009 appropriation. In
17 5	thereof as is necessary, to be used for the purposes	prior years the offices of Administration and Elections and Business
17 6	designated:	Services were separate appropriations. This Bill combines the
17 7	For salaries, support, maintenance, and miscellaneous	appropriations of both offices into a single appropriation.
17 8	purposes, and for not more than the following full=	

PG LN	HF809 as amended by H-1662	Explanation
17 9	equivalent positions:	
17 10 \$ 3,217,317	
17 11 FTEs 44.00	
17 12	The state department or state agency which provides data	Specifies that the Office of the Secretary of State cannot be charged a fee by State agencies that provide data processing services for voter registration file maintenance.
17 13	processing services to support voter registration file	
17 14	maintenance and storage shall provide those services without	
17 15	charge.	
17 16	Sec. 20. SECRETARY OF STATE FILING FEES REFUND.	CODE: Permits the Office of the Secretary of State to refund fees if a filer is not satisfied with the quality of service provided. The decision to issue a refund is at the discretion of the Secretary of State and is not subject to administrative review.
17 17	Notwithstanding the obligation to collect fees pursuant to the	
17 18	provisions of section 490.122, subsection 1, paragraphs "a"	
17 19	and "s", and section 504.113, subsection 1, paragraphs "a",	
17 20	"c", "d", "j", "k", "l", and "m", for the fiscal year	
17 21	beginning July 1, 2009, and ending June 30, 2010, the	
17 22	secretary of state may refund these fees to the filer pursuant	
17 23	to rules established by the secretary of state. The decision	
17 24	of the secretary of state not to issue a refund under rules	
17 25	established by the secretary of state is final and not subject	
17 26	to review pursuant to the provisions of the Iowa	
17 27	administrative procedure Act, chapter 17A.	
17 28	Sec. 21. TREASURER. There is appropriated from the	General Fund appropriation to the Office of the Treasurer of State.
17 29	general fund of the state to the office of treasurer of state	
17 30	for the fiscal year beginning July 1, 2009, and ending June	This is a decrease of \$115,441 and no change in FTE positions compared to the estimated net FY 2009 appropriation.
17 31	30, 2010, the following amount, or so much thereof as is	
17 32	necessary, to be used for the purposes designated:	
17 33	For salaries, support, maintenance, and miscellaneous	
17 34	purposes, and for not more than the following full-time	
17 35	equivalent positions:	
18 1 \$ 949,210	
18 2 FTEs 28.80	
18 3	The office of treasurer of state shall supply clerical and	Requires the Treasurer of State to provide clerical support and secretarial support to the Executive Council.
18 4	secretarial support for the executive council.	

18 5 Sec. 22. ROAD USE TAX APPROPRIATION. There is
 18 6 appropriated from the road use tax fund to the office of
 18 7 treasurer of state for the fiscal year beginning July 1, 2009,
 18 8 and ending June 30, 2010, the following amount, or so much
 18 9 thereof as necessary, to be used for the purposes designated:
 18 10 For enterprise resource management costs related to the
 18 11 distribution of road use tax funds:
 18 12 \$ 93,148

Road Use Tax Fund appropriation to the Office of the Treasurer.

DETAIL: Maintains the current level of funding. This appropriation is used to cover fees assessed by DAS for I/3 System costs related to the administration of the Road Use Tax Fund.

18 13 Sec. 23. IPERS == GENERAL OFFICE. There is appropriated
 18 14 from the Iowa public employees' retirement system fund to the
 18 15 Iowa public employees' retirement system for the fiscal year
 18 16 beginning July 1, 2009, and ending June 30, 2010, the
 18 17 following amount, or so much thereof as is necessary, to be
 18 18 used for the purposes designated:
 18 19 For salaries, support, maintenance, and other operational
 18 20 purposes to pay the costs of the Iowa public employees'
 18 21 retirement system, and for not more than the following full=
 18 22 time equivalent positions:
 18 23 \$ 18,001,480
 18 24 FTEs 95.13

Iowa Public Employees' Retirement System (IPERS) Fund appropriation to the IPERS for administration of the System.

DETAIL: This is an increase of \$156,817 and no change in FTE positions compared to the estimated net FY 2009 IPERS Fund appropriation to cover cost increases for technology services relating to the I/3 System.

18 25 Sec. 24. REBUILD IOWA OFFICE. There is appropriated from
 18 26 the general fund of the state to the rebuild Iowa office for
 18 27 the fiscal year beginning July 1, 2009, and ending June 30,
 18 28 2010, the following amount, or so much thereof as is
 18 29 necessary, to be used for the purposes designated:
 18 30 For salaries, support, maintenance, miscellaneous purposes,
 18 31 and for not more than the following full=time equivalent
 18 32 positions:
 18 33 \$ 198,277
 18 34 FTEs 12.00

General Fund appropriation to the Rebuild Iowa Office (RIO).

DETAIL: This is a new appropriation. The RIO was established through Executive Order 7. The purpose of the Office is to coordinate State activities concerning the rebuilding effort following the most recent series of natural disasters in Iowa. For FY 2010, the total budget for the Office is estimated at \$2,248,000. This includes \$2,050,000 in federal funds and \$198,277 in State funds. The Office is currently using eight positions that are on loan from other State agencies and 11 positions on contract from Merit Resources. This Bill authorizes a total of 12.00 FTE positions. This includes permanently moving seven of the eight State positions to the Office and converting five of the 11 Merit Resources to State employees.

18 35 It is the intent of the general assembly that,

Specifies the intent of the General Assembly to repeal the Rebuild

19 1 pursuant to 2009 Iowa Acts, House File 64, the rebuild
19 2 Iowa office shall be repealed effective June 30, 2011,
19 3 and shall not receive an appropriation from the
19 4 general fund of the state after that date.

Iowa Office on June 30, 2011.

19 5 Sec. 25. STATE EMPLOYEE POSITIONS. The director of a
19 6 department or state agency to which appropriations are made
19 7 pursuant to the provisions of this Act shall implement
19 8 cost-saving strategies designed to prevent, to the extent
19 9 possible, permanent layoffs of state employees within that
19 10 department or state agency.

Directs the State agencies receiving appropriations in this Bill to implement cost-savings strategies that prevent, to the extent possible, the permanent layoff of State employees.

19 11 Sec. 26. OUT-OF-STATE TRAVEL == RESTRICTIONS.
19 12 Notwithstanding any provision to the contrary, for the fiscal
19 13 year beginning July 1, 2009, and ending June 30, 2010,
19 14 out-of-state travel by an employee of a department or state
19 15 agency to which appropriations are made pursuant to the
19 16 provisions of this Act shall not be authorized unless the
19 17 executive council authorizes the travel as necessary for the
19 18 performance of official state business.

CODE: Prohibits out-of-state travel for agencies receiving appropriations in this Bill unless authorized by the Executive Council. This requirement only applies to FY 2010.

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* 4 28 #7. Page 19, by striking lines 11 through 18.

SENATE AMENDMENT: Strikes language prohibiting out-of-state travel for agencies unless authorized by the Executive Council.

19 19 Sec. 27. EXPENSE REIMBURSEMENT == REQUIREMENTS.
19 20 Notwithstanding any provision to the contrary, for the fiscal
19 21 year beginning July 1, 2009, and ending June 30, 2010, the
19 22 director of a department or state agency to which
19 23 appropriations are made pursuant to the provisions of this Act
19 24 shall require employees, in order to receive reimbursement for
19 25 expense, to submit actual receipts for meals and other costs
19 26 and reimbursement up to the maximum amount shall only be
19 27 allowed in an amount equal to the sum of the actual receipts
19 28 submitted.

CODE: Requires employees of agencies receiving appropriations in this Bill to submit actual receipts for meals and other expenses and requires the employee reimbursement not exceed the actual expenses. This requirement only applies to FY 2010.

19 29 Sec. 28. LEGISLATIVE EX OFFICIO BOARD MEMBERS ==
 19 30 COMPENSATION RESTRICTIONS. Notwithstanding any provision to
 19 31 the contrary, for the fiscal year beginning July 1, 2009, and
 19 32 ending June 30, 2010, members of the general assembly who are
 19 33 ex officio members of boards, committees, commissions, or
 19 34 councils shall not be authorized to receive per diem and
 19 35 expenses for service on the applicable board, committee,
 20 1 commission, or council.

CODE: Prohibits legislative ex officio board members from receiving per diem. This requirement only applies to FY 2010.

20 2 Sec. 29. VEHICLE PURCHASES == LIMITATIONS. Except for
 20 3 vehicles utilized for law enforcement purposes, motor vehicles
 20 4 purchased by the department of administrative services shall
 20 5 not, unless inclusion of the item is part of the lowest cost
 20 6 package available for the vehicle purchased, include any of
 20 7 the following items:
 20 8 1. Tube steps.
 20 9 2. Upgraded floor mats.
 20 10 3. Winches, unless otherwise necessary for use in an
 20 11 off=road vehicle.
 20 12 4. Upgraded paint in order to match the topper to the
 20 13 vehicle.
 20 14 5. Global positioning systems.
 20 15 6. Satellite radio, compact disc players, bluetooth
 20 16 capability, or upgraded stereo systems.
 20 17 7. Leather seats.

Prohibits the Department of Administrative Services from including certain features on new vehicles unless the item is included in the lowest cost package of the vehicle. The requirement does not include law enforcement vehicles.

20 18 Sec. 30. EFFECTIVE DATE. The section of this division of
 20 19 the Act limiting vehicle purchases by the department of
 20 20 administrative services, being deemed of immediate importance,
 20 21 takes effect upon enactment.

Specifies that Section 29 of the Bill is effective on enactment.

*H-1662

* 4 29 #8. By striking page 19, line 29, through page 20,

* 4 30 line 1.

* 4 31 #9. Page 20, by striking lines 2 through 21 and

SENATE AMENDMENT: Requires the Department of Administrative Services to purchase vehicles for the State at the lowest possible cost. Vehicle purchases are not to include optional equipment that increases the cost to the State unless it is specifically required by a

PG LN	HF809 as amended by H-1662	Explanation
* 4 32 * 4 33 * 4 34 * 4 35 * 4 36 * 4 37 * 4 38 * 4 39 * 4 40 * 4 41 * 4 42 * 4 43 * 4 44 * 4 45 * 4 46 * 4 47 * 4 48 * 4 49 * 4 50	<u>inserting the following:</u> <u>"Sec. . VEHICLE PURCHASES. The department of</u> <u>administrative services shall seek to procure motor</u> <u>vehicles for state use at the lowest possible cost to</u> <u>the state. Motor vehicles purchased by the department</u> <u>shall not include optional equipment that results in</u> <u>an increase in the cost of the motor vehicle unless</u> <u>such optional equipment is specifically required by</u> <u>the requesting state agency or unless such equipment</u> <u>is part of the lowest cost package available meeting</u> <u>minimum specifications. A state agency seeking to</u> <u>replace a motor vehicle shall not request any</u> <u>equipment to be added to its motor vehicles except as</u> <u>the state agency determines is necessary for the</u> <u>department's employees in the safe and efficient</u> <u>operation of the motor vehicle. The department shall</u> <u>not seek to have any optional equipment removed or</u> <u>deleted from an order if such action would increase</u> <u>the cost of the vehicle to the state.</u>	<p>State agency. The Department will not have to remove optional equipment if such an action would increase the cost of the vehicle to the State.</p>
20 22 20 23	DIVISION II MISCELLANEOUS PROVISIONS	
20 24 20 25 20 26	Sec. 31. Section 8A.454, subsection 4, Code 2009, is amended to read as follows: 4. This section is repealed July 1, 2009 <u>2010</u> .	<p>CODE: Extends the repeal date of the Health Insurance Administration Fund from July 1, 2009, to July 1, 2010.</p>
		<p>DETAIL: The Fund is used to cover health insurance program administration costs through a monthly (per contract) administrative charge assessed by DAS on all health insurance plans administered by the Department in which the contract holder has a State employer to pay the charge. The amount of the administrative charge is established by the General Assembly. The Department collects the administrative fee from each department utilizing the centralized payroll system and deposits the proceeds in the Fund.</p>
20 27	Sec. 32. 2008 Iowa Acts, chapter 1176, section 5,	<p>CODE: Eliminates a requirement for the Secretary of State to revert</p>

20 28 subsection 1, is amended to read as follows:
 20 29 1. If any federal funding is received for the same or
 20 30 similar purposes authorized in section 47.10, as enacted by
 20 31 this Act, of the amount appropriated in this section, \$61,000
 20 32 is allocated for matching such federal funding, ~~and an amount~~
 20 33 ~~equal to the federal funding received shall revert from the~~
 20 34 ~~amount appropriated to the rebuild Iowa infrastructure fund at~~
 20 35 ~~the end of the fiscal year .~~

federal funds received for the purchase of optical scan voting systems to the Rebuild Iowa Infrastructure Fund (RIIF).

DETAIL: Senate File 2347 (Optical Scan Voting System Act) provided an FY 2008 supplemental appropriation of \$4,900,880 from the RIIF to the Secretary of State for the purchase and distribution of optical scan voting systems to counties. The Act required the Secretary of State to revert any federal funds received to the RIIF. The Secretary of State received \$1,168,000 from the Help America Vote Act (HAVA) in the current fiscal year. The amended language in this Bill will allow the Secretary of State to fund the maintenance costs associated with the statewide voter registration system (IVOTERS). The annual maintenance cost of the System is approximately \$950,000.

21 1 Sec. 33. EFFECTIVE DATES == RETROACTIVE APPLICABILITY.

21 2 1. The section of this division of this Act amending
 21 3 section 8A.454, being deemed of immediate importance, takes
 21 4 effect upon enactment.

Specifies that Section 31 of this Bill is effective on enactment.

DETAIL: Section 31 changes the repeal date of the Health Insurance Administration Fund.

21 5 2. The section of this division of this Act amending 2008
 21 6 Iowa Acts, chapter 1176, section 5, subsection 1, being deemed
 21 7 of immediate importance, takes effect upon enactment and is
 21 8 retroactively applicable to federal funding received on and
 21 9 after April 1, 2008.

Specifies that Section 32 of this Bill is effective retroactively to April 1, 2008.

DETAIL: Section 32 eliminates a requirement for the Secretary of State to revert federal funds.

21 10 DIVISION III
 21 11 GRANTS MANAGEMENT

21 12 Sec. 34. Section 8.7, Code 2009, is amended to read as
 21 13 follows:
 21 14 8.7 REPORTING OF GIFTS, AND BEQUESTS, AND GRANTS RECEIVED.
 21 15 All gifts, and bequests, and grants received by a
 21 16 department or accepted by the governor on behalf of the state

Requires agencies to report all grants received or accepted by the Governor to the Iowa Ethics and Campaign Disclosure Board.

DETAIL: In FY 2009, all grants were required to be reported to the Office of Grants Enterprise Management in the Department of Management.

21 17 shall be reported to the Iowa ethics and campaign disclosure
21 18 board and the government oversight committees. The ethics and
21 19 campaign disclosure board shall, by January 31 of each year,
21 20 submit to the fiscal services division of the legislative
21 21 services agency a written report listing all gifts ~~and~~
21 22 bequests ~~and grants~~ received during the previous calendar
21 23 year with a value over one thousand dollars and the purpose
21 24 for each such gift ~~or~~ bequest ~~or grant~~. The submission
21 25 shall also include a listing of all gifts ~~and~~ bequests ~~and~~
21 26 ~~grants~~ received by a department from a person if the
21 27 cumulative value of all gifts ~~and~~ bequests ~~and grants~~
21 28 received by the department from the person during the previous
21 29 calendar year exceeds one thousand dollars, and the ethics and
21 30 campaign disclosure board shall include, if available, the
21 31 purpose for each such gift ~~or~~ bequest ~~or grant~~. However,
21 32 the reports on gifts ~~or~~ bequests ~~or grants~~ filed by the
21 33 state board of regents pursuant to section 8.44 shall be
21 34 deemed sufficient to comply with the requirements of this
21 35 section.

22 1 Sec. 35. Section 8.11, subsection 3, Code 2009, is amended
22 2 by striking the subsection.

CODE: Repeals responsibilities associated with the Office of Grants Enterprise Management (GEMS) relating to the distribution of minority impact statements.

22 3 Sec. 36. Section 8A.505, subsection 2, Code 2009, is
22 4 amended by striking the subsection.

CODE: Repeals the funding for the GEMS Office.

DETAIL: Section 8A.505(2), Code of Iowa, appropriates \$160,000 to the GEMS Office from indirect cost recovery reimbursements that are otherwise deposited in the General Fund.

FISCAL IMPACT: The repeal of this provision will increase General Fund receipts by \$160,000 for FY 2010.

22 5 Sec. 37. Section 68B.32, subsection 1, Code 2009, is
22 6 amended to read as follows:
22 7 1. An Iowa ethics and campaign disclosure board is

CODE: Conforming change for the reporting of grants to the Iowa Ethics and Campaign Disclosure Board.

22 8 established as an independent agency. The board shall
22 9 administer this chapter and set standards for, investigate
22 10 complaints relating to, and monitor the ethics of officials,
22 11 employees, lobbyists, and candidates for office in the
22 12 executive branch of state government. The board shall
22 13 administer and set standards for, investigate complaints
22 14 relating to, and monitor the campaign finance practices of
22 15 candidates for public office. The board shall administer and
22 16 establish standards for, investigate complaints relating to,
22 17 and monitor the reporting of gifts ~~and~~ bequests and grants
22 18 under section 8.7. The board shall consist of six members and
22 19 shall be balanced as to political affiliation as provided in
22 20 section 69.16. The members shall be appointed by the
22 21 governor, subject to confirmation by the senate.

22 22 Sec. 38. Section 68B.32A, subsection 5, Code 2009, is
22 23 amended to read as follows:
22 24 5. Receive and file registration and reports from
22 25 lobbyists of the executive branch of state government, client
22 26 disclosure from clients of lobbyists of the executive branch
22 27 of state government, personal financial disclosure information
22 28 from officials and employees in the executive branch of state
22 29 government who are required to file personal financial
22 30 disclosure information under this chapter, and gift ~~and~~
22 31 bequest and grant disclosure information pursuant to section
22 32 8.7. The board, upon its own motion, may initiate action and
22 33 conduct a hearing relating to reporting requirements under
22 34 this chapter or section 8.7.

22 35 Sec. 39. Sections 8.9 and 8.10, Code 2009, are repealed.

CODE: Conforming change for the reporting of grants to the Iowa Ethics and Campaign Disclosure Board.

CODE: Repeals the Office of Grants Enterprise Management (GEMS).

DETAIL: The GEMS Office is currently housed in the Department of Management. The purpose of the Office is to develop and administer a system to track, identify, advocate for, and coordinate nonstate grants.

23 1 DIVISION IV

23 2 TREASURER OF STATE PROVISIONS

23 3 Sec. 40. NEW SECTION . 12.9 EMPLOYEE CLASSIFICATIONS.

23 4 In addition to public employees listed in section 20.4,
23 5 public employees of the treasurer of state who hold positions
23 6 that are classified in the administrative assistant series and
23 7 executive officer series are excluded from chapter 20.

CODE: Exempts certain positions within the Office of State Treasurer from collective bargaining provisions.

23 8 Sec. 41. Section 556.17, subsections 1 and 2, Code 2009,
23 9 are amended to read as follows:

23 10 1. All abandoned property other than money delivered to
23 11 the treasurer of state under this chapter which remains
23 12 unclaimed one year after the delivery to the treasurer may be
23 13 sold to the highest bidder ~~at public sale in any city in the~~
23 14 ~~state in a manner~~ that affords in the treasurer's judgment the
23 15 most favorable market for the property involved. The
23 16 treasurer of state may decline the highest bid and reoffer the
23 17 property for sale if the treasurer considers the price bid
23 18 insufficient. The treasurer need not offer any property for
23 19 sale if, in the treasurer's opinion, the probable cost of sale
23 20 exceeds the value of the property. The treasurer may order
23 21 destruction of the property when the treasurer has determined
23 22 that the probable cost of offering the property for sale
23 23 exceeds the value of the property. If the treasurer
23 24 determines that the property delivered does not have any
23 25 substantial commercial value, the treasurer may destroy or
23 26 otherwise dispose of the property at any time. An action or
23 27 proceeding may not be maintained against the treasurer or any
23 28 officer or against the holder for or on account of an act the
23 29 treasurer made under this section, except for intentional
23 30 misconduct or malfeasance.

23 31 2. a. Any sale held ~~or destruction ordered~~ under this
23 32 section shall be preceded by a single publication of notice of
23 33 the sale ~~or destruction order~~ at least three weeks in advance
23 34 of sale ~~or destruction~~ in an English language newspaper of

CODE: Allows the Treasurer of State to sell abandoned property through the internet and allows the Treasurer to provide notice of the sale on the Treasurer's website at least seven days prior to sale in lieu of providing notice through a publication.

23 35 general circulation in the county ~~where the property is to be~~
 24 1 ~~sold or, for the destruction, in the county from which the~~
 24 2 ~~property was received , or in an English language newspaper of~~
 24 3 ~~general circulation in the state .~~
 24 4 b. If the treasurer holds an internet auction or a sale on
 24 5 the internet, the treasurer may elect to provide notice of the
 24 6 sale or auction on the treasurer's website at least seven days
 24 7 in advance of the sale or auction in lieu of providing notice
 24 8 as otherwise provided in accordance with paragraph "a".

24 9 DIVISION V

24 10 SEARCHABLE BUDGET AND TAX RATE DATABASES

24 11 Sec. 42. Section 8A.104, Code 2009, is amended by adding
 24 12 the following new subsection:
 24 13 NEW SUBSECTION . 12A. BUDGET AND TAX RATE DATABASES.
 24 14 Develop and make available to the public a searchable budget
 24 15 database as required under chapter 8G, division I, and to
 24 16 develop and make available to the public a searchable tax rate
 24 17 database as required under chapter 8G, division II and to make
 24 18 both databases available on the same website.

CODE: Requires the Department of Administrative Services (DAS) to establish a searchable budget database that is available at not cost to the public.

24 19 DIVISION VI

24 20 SEARCHABLE BUDGET DATABASE FOR STATE SPENDING

24 21 Sec. 43. NEW SECTION . 8G.1 INTENT == FINDINGS.
 24 22 The general assembly finds that taxpayers should be able to
 24 23 easily access the details on how the state is spending their
 24 24 tax dollars and the performance results achieved for those
 24 25 expenditures. Therefore, it is the intent of the general
 24 26 assembly to direct the department of administrative services
 24 27 to create and maintain a searchable budget database website
 24 28 detailing where tax dollars are expended, the purposes for
 24 29 which tax dollars are expended, the special interest tax
 24 30 credits allowed, and the results achieved for all taxpayer

CODE: Specifies the intent of the General Assembly that the DAS create and maintain a searchable budget database that is available at not cost to the public.

24 31 investments in state government.

24 32 Sec. 44. NEW SECTION . 8G.2 SHORT TITLE.

24 33 This division shall be known as and may be cited as the

24 34 "Openness Promotes Efficiency Now Act".

CODE: Creates a new Code of Iowa titled "Openness Promotes Efficiency Now Act" for the budget transparency provisions.

24 35 Sec. 45. NEW SECTION . 8G.3 DEFINITIONS.

25 1 As used in this division, unless the context otherwise

25 2 requires:

25 3 1. "Agency" means a state department, office, board,

25 4 commission, bureau, division, institution, or public

25 5 institution of higher education. "Agency" includes individual

25 6 state agencies and programs, as well as those programs and

25 7 activities that are administered by or involve more than one

25 8 agency. "Agency" includes the judicial branch of government.

25 9 "Agency" includes all elective offices in the executive branch

25 10 of government and the general assembly.

25 11 2. "Director" means the director of the department of

25 12 administrative services.

25 13 3. "Entity" or "recipients" means any of the following:

25 14 a. A corporation.

25 15 b. An association.

25 16 c. An employee union.

25 17 d. A limited liability company.

25 18 e. A limited liability partnership.

25 19 f. Any other legal business entity, including nonprofit

25 20 entities.

25 21 g. A grant recipient.

25 22 h. Contractors.

25 23 i. A county, city, school district, or other local

25 24 government entity.

25 25 "Entity" or "recipients" does not include an individual

25 26 recipient of state assistance.

25 27 4. "Funding action or expenditure" includes details on the

25 28 type of spending that is provided including but not limited to

25 29 grants, contracts, and appropriations. "Funding action or

CODE: Provides definition for the "Openness Promotes Efficiency Now Act" provisions.

25 30 expenditure" includes tax exemptions or credits. Where
25 31 possible, an electronic link to the actual grants or contracts
25 32 shall be provided. An electronic link shall be in a format
25 33 that is a searchable document.
25 34 5. "Searchable website" means a website described in
25 35 section 8G.4 that allows the public at no cost to search and
26 1 compile information identified in sections 8G.4 and 8G.12 and
26 2 that is in a format capable of being downloaded.
26 3 5A. "Schedule 6 document" means the document referred to
26 4 as schedule 6 used for the fiscal year beginning July 1, 2009,
26 5 and previous fiscal years that listed for each agency the
26 6 resources available or estimated to be available to it as well
26 7 as a listing of the disposition or proposed disposition of
26 8 those resources and includes the governor's recommendation, if
26 9 any, for that fiscal year. "Schedule 6 document" includes any
26 10 successor schedule that provides similar information. An
26 11 electronic link to the schedule 6 document shall be provided
26 12 in a format that is a searchable document.
26 13 6. "State audit or report" shall include any audit or
26 14 report issued by the auditor of state.

26 15 Sec. 46. NEW SECTION . 8G.4 SEARCHABLE BUDGET DATABASE
26 16 WEBSITE CREATED.

26 17 1. By January 1, 2011, the director shall develop and make
26 18 publicly available a database website for searching,
26 19 accessing, and processing data, including the data required in
26 20 this section, for the most recent state budget. The state
26 21 budget for the fiscal year beginning July 1, 2009, shall
26 22 include the expenditure of funds received through the federal
26 23 American Recovery and Reinvestment Act of 2009. The website
26 24 shall be developed in such a way that the information can be
26 25 provided to other software applications, including internet
26 26 software applications, in a manner and format that allows such
26 27 software applications to access and interpret the data using
26 28 the internal programming of the software applications.
26 29 2. The searchable website developed pursuant to this
26 30 section shall allow the public at no cost to search, compile,

CODE: Requires the DAS to develop and make available to the public a budget database website by January 1, 2011. Beginning July 1, 2009, requires data on the expenditure of federal funds authorized through the American Recovery and Reinvestment Act of 2009 to be included on the website. Requires searchable data relating to certain tax credits, the Grow Iowa Values Fund, and the Iowa Power Fund to be included in the searchable website.

26 31 and download information for all of the following:

26 32 a. To the extent practicable and within the bounds of the

26 33 confidentiality provisions, the identity of the entity or

26 34 recipient of state expenditures.

26 35 b. Amount of annual revenues and expenditures for each

27 1 agency's appropriations and funds. To the extent available, a

27 2 schedule 6 document shall be provided or be available by means

27 3 of an electronic link.

27 4 c. Descriptive purpose for the funding or expenditure.

27 5 d. Performance results associated with the agency's

27 6 activities.

27 7 e. Past performance results associated with the agency's

27 8 activities.

27 9 f. State audits or reports relating to the entity or

27 10 recipient of state funds, the budget program or activity, or

27 11 agency.

27 12 g. Any other relevant information specified by the

27 13 director.

27 14 3. In addition to the information to be provided pursuant

27 15 to subsection 2, there shall be provided on the searchable

27 16 website all of the following:

27 17 a. A listing and description of special interest tax

27 18 credits claimed for the individual income tax, corporate

27 19 income tax, franchise tax, and insurance premiums tax. A

27 20 special interest tax credit is a tax credit for which fewer

27 21 than twenty percent of the tax filers in the applicable tax

27 22 category claim the tax credit. For each category of tax the

27 23 website shall list each of the special interest tax credits

27 24 applicable to it, the total amount of that tax credit claimed,

27 25 and the number of taxpayers claiming the tax credit.

27 26 b. The estimated cost to the state of each of the twenty

27 27 sales tax exemptions that account for the largest dollar

27 28 amount share of sales tax exemptions under section 423.3. The

27 29 cost of each exemption shall be listed by county and, in

27 30 addition, stated as a per capita amount for each county. This

27 31 paragraph does not apply to the tax exemptions pursuant to

27 32 section 423.3, subsections 2, 31, 39, 58, 73, and 85.

27 33 4. If the funding source of the revenue expended is the

27 34 grow Iowa values fund created pursuant to section 15G.108, or
27 35 the Iowa power fund created in section 469.9, then in addition
28 1 to any information provided pursuant to subsections 2 and 3,
28 2 there shall be provided on the searchable website all of the
28 3 following:
28 4 a. For financial assistance provided during the fiscal
28 5 year, a listing, per recipient, of the number of jobs pledged
28 6 and the number of jobs actually created. The actual jobs
28 7 created shall be adjusted throughout the year as new figures
28 8 become available.
28 9 b. The total estimated cost to the state in addition to
28 10 the amount of financial assistance awarded, including any
28 11 administrative expenses of the agency or department
28 12 administering the fund.
28 13 c. An allocation by state legislative district and county
28 14 of the total amount of financial assistance awards and the
28 15 number of job creations associated with such awards during the
28 16 fiscal year.
28 17 4A. The director shall provide information on the
28 18 searchable website database that lists interdepartmental
28 19 transfers of appropriations. This information shall be
28 20 provided in a manner that will be easily understood by the
28 21 public.
28 22 4B. The director shall provide information on the
28 23 searchable website database that lists the transfers of
28 24 appropriations made from one agency to another or within an
28 25 agency pursuant to section 8.39. This information shall be
28 26 provided in a manner that will be easily understood by the
28 27 public.
28 28 5. In providing data on tax exemptions or credits,
28 29 confidentiality statutes of Iowa and federal law shall be
28 30 adhered to.
28 31 6. The director shall provide a progress and
28 32 implementation report to members of the senate and house
28 33 committees on government oversight every ninety days with the
28 34 first report due October 1, 2009.

29 1 1. Effective July 1, 2011, the searchable website shall be
 29 2 updated for each fiscal year not later than thirty days
 29 3 following the close of the fiscal year. During the fiscal
 29 4 year beginning July 1, 2011, and each subsequent fiscal year,
 29 5 the director shall make a preliminary report for the fiscal
 29 6 year on the searchable website within thirty days following
 29 7 each quarter. In addition, the director may update the
 29 8 searchable website as new data becomes available. All
 29 9 agencies shall provide to the director data that is required
 29 10 to be included in the searchable website not later than thirty
 29 11 days after the data becomes available to the agency. The
 29 12 director shall provide guidance to agency heads or the
 29 13 governing body of an agency to ensure compliance with this
 29 14 section.
 29 15 2. By January 1, 2012, the director shall add data for the
 29 16 previous budgets to the searchable website. Data for previous
 29 17 fiscal years may be added as it becomes available and as time
 29 18 permits. The director shall ensure that all data added to the
 29 19 searchable website remain accessible to the public for a
 29 20 minimum of ten years.

database website with new budget data at the close of each fiscal year beginning July 1, 2011. Requires DAS to add historical budget data to the website beginning January 1, 2012.

29 21 Sec. 48. NEW SECTION . 8G.6 NONCOMPLIANCE.
 29 22 The director shall not be considered in compliance with
 29 23 this division if the data required for the searchable website
 29 24 is not available in a searchable manner and capable of being
 29 25 compiled and downloaded or if the public is redirected to
 29 26 other government websites unless each of those sites has
 29 27 information from all agencies and each category of information
 29 28 required can be searched electronically by field in a single
 29 29 search.

CODE: Specifies that the Director of the DAS is not in compliance with the budget transparency provisions if certain information is not made available through a searchable database website.

29 30 Sec. 49. NEW SECTION . 8G.7 EXECUTIVE ORDER TO IMPLEMENT.
 29 31 Nothing in this division shall be construed as preventing
 29 32 the governor from acting by executive order to implement any
 29 33 action authorized or required under this division.

CODE: Specifies that the provisions relating to the Openness Promotes Efficiency Now Act do not prevent the Governor from issuing an Executive Order to implement actions authorized in the Act.

29 35 SEARCHABLE TAX RATE DATABASE

30 1 Sec. 50. NEW SECTION . 8G.10 INTENT == FINDINGS.
30 2 The general assembly finds that increasing the ease of
30 3 public access to state and local tax rates, particularly when
30 4 the rates are currently available from disparate government
30 5 sources but are difficult for the public to collect and
30 6 efficiently aggregate, significantly contributes to
30 7 governmental accountability, public participation, and the
30 8 understanding of the cost of government services. Therefore,
30 9 it is the intent of the general assembly to direct the
30 10 department of administrative services, in consultation with
30 11 the department of revenue, to create and maintain a searchable
30 12 database detailing each tax rate for all taxing districts in
30 13 the state to make citizen access to information on state and
30 14 local tax rates as open, transparent, and publicly accessible
30 15 as is feasible.

CODE: Specifies the intent of the General Assembly that the DAS create and maintain a searchable tax rate database that is available to the public.

30 16 Sec. 51. NEW SECTION . 8G.11 SHORT TITLE.
30 17 This division shall be known and cited as the "Government
30 18 Accountability and Disclosure Act".

CODE: Creates the Code of Iowa chapter title of "Government Accountability and Disclosure Act" for the provisions related to the searchable tax rate database website

30 19 Sec. 52. NEW SECTION . 8G.12 TAX RATE DATABASE.
30 20 1. SEARCHABLE TAX RATE DATABASE. By January 1, 2010, the
30 21 department of administrative services, in consultation with
30 22 the department of revenue, shall make publicly available on
30 23 the website created pursuant to section 8G.4 a searchable
30 24 database of all tax rates in the state for each taxing
30 25 jurisdiction. The information shall be aggregated by type of
30 26 tax and accessible by entering a zip code or physical address
30 27 for each residence or business. Individual tax levies shall
30 28 be further specified within each tax rate.
30 29 2. GEOGRAPHICAL TAX RATE MAP. In addition to searching
30 30 for tax rates by zip code or physical address for each
30 31 residence or business, searches shall be accommodated by a
30 32 geographical tax rate map of the state that is capable of

CODE: Requires the DAS to develop and implement a searchable tax rate database by January 1, 2010.

30 33 being displayed with a level of specificity corresponding to
 30 34 each taxing district.
 30 35 3. INDIVIDUAL TAX RATE CALCULATOR. Tax rate calculators
 31 1 shall be provided on the searchable database to allow citizens
 31 2 and businesses to calculate taxes based on the location of the
 31 3 citizen or business. Calculation capability shall be provided
 31 4 at a minimum for property, sales, use, income, vehicle, and
 31 5 business taxes and shall be specific to the rate for the
 31 6 taxing district identified by the citizen or business.

31 7 Sec. 53. NEW SECTION . 8G.13 UPDATING DATABASE.
 31 8 To facilitate the department of administrative services'
 31 9 efforts in creating and maintaining a searchable database of
 31 10 the taxes identified in section 8G.12, subsection 3, for all
 31 11 taxing districts in the state, every taxing district shall
 31 12 annually report its tax rates, and any change to the rates, to
 31 13 the department of revenue. Within thirty days of receiving
 31 14 such information, the department shall report the tax rates,
 31 15 and any changes to the rates, to the department of
 31 16 administrative services.

CODE: Requires all taxing districts of the State to annually report tax rates and tax rate changes to the DAS.

31 17 Sec. 54. CODE EDITOR DIRECTIVE. Unless otherwise
 31 18 determined by the Iowa Code editor, sections 8G.1 through
 31 19 8G.7, as enacted in this division of this Act, shall be
 31 20 designated as division I of chapter 8G, and sections 8G.10
 31 21 through 8G.13, as enacted in this division of this Act, shall
 31 22 be designated as division II of chapter 8G.

Provides a directive to the Code Editor.

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* 5 26 #12. By striking page 24, line 10, through page
 * 5 27 31, line 23, and inserting the following:
 * 5 28 "ETHICS AND CAMPAIGN DISCLOSURE BOARD ENFORCEMENT
 * 5 29 Sec. . Section 68B.32A, Code 2009, is amended
 * 5 30 by adding the following new subsection:
 * 5 31 NEW SUBSECTION . 18. At the board's discretion,

SENATE AMENDMENT:

CODE: Strikes language requiring the Department of Administrative Services to establish a searchable budget database and website. Permits the Ethics and Campaign Disclosure Board to enter into an agreement with a political subdivision authorizing the Board to enforce a code of ethics provision adopted by the political subdivision.

* 5 32 enter into an agreement with a political subdivision
* 5 33 authorizing the board to enforce the provisions of a
* 5 34 code of ethics adopted by that political subdivision.

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* 5 35 DIVISION VI
* 5 36 ALCOHOLIC BEVERAGE CONTROL PROVISION
* 5 37 Sec. . Section 123.30, subsection 3, paragraph
* 5 38 e, unnumbered paragraph 1, Code 2009, is amended to
* 5 39 read as follows:
* 5 40 CLASS "E". A class "E" liquor control license may
* 5 41 be issued and shall authorize the holder to purchase
* 5 42 alcoholic liquor from the division only and to sell
* 5 43 the alcoholic liquor to patrons for consumption off
* 5 44 the licensed premises and to other liquor control
* 5 45 licensees. A class "E" license shall not be issued to
* 5 46 premises at which gasoline is sold. A holder of a
* 5 47 class "E" liquor control license may hold other retail
* 5 48 liquor control licenses or retail wine or beer
* 5 49 permits, but the premises licensed under a class "E"
* 5 50 liquor control license shall be separate from other
* 6 1 licensed premises, though the separate premises may
* 6 2 have a common entrance. However, the holder of a
* 6 3 class "E" liquor control license may also hold a class
* 6 4 "B" wine or class "C" beer permit or both for the
* 6 5 premises licensed under a class "E" liquor control
* 6 6 license.

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* 6 7 DIVISION VII
* 6 8 BINGO CONDUCTED AT A FAIR OR COMMUNITY FESTIVAL
* 6 9 Sec. . NEW SECTION . 99B.5A BINGO CONDUCTED AT
* 6 10 A FAIR OR COMMUNITY FESTIVAL.
* 6 11 1. For purposes of this section:
* 6 12 a. "Community festival" means a festival of no
* 6 13 more than four consecutive days in length held by a

SENATE AMENDMENT:

CODE: Permits a Class E Liquor Control License to be issued to premises that sell gasoline.

FISCAL IMPACT: It is estimated that this would generate between \$779,000 to \$1,266,858 to the General Fund.

SENATE AMENDMENT:

CODE: Creates a bingo license and fee of \$50 for community festivals and groups to conduct bingo games for a period not to exceed four days.

* 6 14 community group.
* 6 15 b. "Community group" means an Iowa nonprofit,
* 6 16 tax-exempt organization which is open to the general
* 6 17 public and established for the promotion and
* 6 18 development of the arts, history, culture, ethnicity,
* 6 19 historic preservation, tourism, economic development,
* 6 20 festivals, or municipal libraries. "Community group"
* 6 21 does not include a school, college, university,
* 6 22 political party, labor union, state or federal
* 6 23 government agency, fraternal organization, church,
* 6 24 convention or association of churches, or
* 6 25 organizations operated primarily for religions
* 6 26 purposes, or which are operated, supervised,
* 6 27 controlled, or principally supported by a church,
* 6 28 convention, or association of churches.
* 6 29 2. Bingo may lawfully be conducted at a fair, as
* 6 30 defined in section 174.1, or a community festival if
* 6 31 all the following conditions are met:
* 6 32 a. Bingo is conducted by the sponsor of the fair
* 6 33 or community festival or a qualified organization
* 6 34 licensed under section 99B.7 that has received
* 6 35 permission from the sponsor of the fair or community
* 6 36 festival to conduct bingo.
* 6 37 b. The sponsor of the fair or community festival
* 6 38 or the qualified organization has submitted a license
* 6 39 application and a fee of fifty dollars to the
* 6 40 department, has been issued a license, and prominently
* 6 41 displays the license at the area where the bingo
* 6 42 occasion is being held. A license shall only be valid
* 6 43 for the duration of the fair or community festival
* 6 44 indicated on the application.
* 6 45 c. The number of bingo occasions shall be limited
* 6 46 to one for each day of the duration of the fair or
* 6 47 community festival.
* 6 48 d. The rules for the bingo occasion are posted.
* 6 49 e. Except as provided in this section, the
* 6 50 provisions of sections 99B.2 and 99B.7 related to
* 7 1 bingo shall apply.

* 7 2 3. An individual other than a person conducting
 * 7 3 the bingo occasion may participate in the bingo
 * 7 4 occasion conducted at a fair or community festival,
 * 7 5 whether or not conducted in compliance with this
 * 7 6 section.
 * 7 7 4. Bingo occasions held under a license under this
 * 7 8 section shall not be counted in determining whether a
 * 7 9 qualified organization has conducted more than
 * 7 10 fourteen bingo occasions per month. In addition,
 * 7 11 bingo occasions held under this license shall not be
 * 7 12 limited to four consecutive hours.

*H-1662

* 7 13 DIVISION VIII
 * 7 14 DEPARTMENT OF COMMERCE REVOLVING
 * 7 15 FUND == APPROPRIATIONS

*H-1662

* 7 16 Sec. . Section 87.11E, subsection 5, Code 2009,
 * 7 17 is amended to read as follows:
 * 7 18 5. A civil penalty levied under subsection 4 shall
 * 7 19 not exceed one thousand dollars per violation per
 * 7 20 person, and shall not exceed ten thousand dollars in a
 * 7 21 single proceeding against any one person. All civil
 * 7 22 penalties shall be deposited in the general fund of
 * 7 23 the state pursuant to section 505.7.

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* 7 24 Sec. . Section 475A.3, subsection 3, Code 2009,
 * 7 25 is amended to read as follows:
 * 7 26 3. SALARIES, EXPENSES, AND APPROPRIATION. The
 * 7 27 salary of the consumer advocate shall be fixed by the
 * 7 28 attorney general within the salary range set by the
 * 7 29 general assembly. The salaries of employees of the
 * 7 30 consumer advocate shall be at rates of compensation
 * 7 31 consistent with current standards in industry. The

SENATE AMENDMENT:

CODE: Conforming amendment relating to the establishment of the Department of Commerce Revolving Fund.

DETAIL: Deposits civil penalties levied by the Insurance Division in the Department of Commerce Revolving Fund.

SENATE AMENDMENT:

CODE: Conforming amendment relating to the establishment of the Department of Commerce Revolving Fund.

DETAIL: Sets the salaries of the Consumer Advocate within the salary rates set by the General Assembly. Establishes a separate budget line-item in the appropriation from the Department of Commerce Revolving Fund.

* 7 32 reimbursement of expenses for the employees and the
 * 7 33 consumer advocate is as provided by law. The
 * 7 34 appropriation for the office of consumer advocate
 * 7 35 shall be a separate line item contained in the
 * 7 36 appropriation from the ~~general fund of the state~~
 * 7 37 department of commerce revolving fund created in
 * 7 38 section 546.12 .

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* 7 39 Sec. . Section 476.10, unnumbered paragraph 4,
 * 7 40 Code 2009, is amended to read as follows:
 * 7 41 The order shall be subject to review in the manner
 * 7 42 provided in this chapter. All amounts collected by
 * 7 43 the division pursuant to the provisions of this
 * 7 44 section shall be deposited with the treasurer of state
 * 7 45 and credited to the ~~general fund of the state~~
 * 7 46 department of commerce revolving fund created in
 * 7 47 section 546.12 . Such amounts shall be spent in
 * 7 48 accordance with the provisions of chapter 8.
 * 7 49 Sec. . Section 476.10, unnumbered paragraph 6,
 * 7 50 Code 2009, is amended to read as follows:
 * 8 1 Fees paid to the utilities division shall be
 * 8 2 deposited in the ~~general fund of the state~~ department
 * 8 3 of commerce revolving fund created in section 546.12 .
 * 8 4 These funds shall be used for the payment, upon
 * 8 5 appropriation by the general assembly, of the expenses
 * 8 6 of the utilities division and the consumer advocate
 * 8 7 division of the department of justice. ~~Subject to~~
 * 8 8 ~~this section, the utilities division or the consumer~~
 * 8 9 ~~advocate division may keep on hand with the treasurer~~
 * 8 10 ~~of state funds in excess of the current needs of the~~
 * 8 11 ~~utilities division or the consumer advocate division.~~
 * 8 12 Sec. . Section 476.10, unnumbered paragraph 8,
 * 8 13 Code 2009, is amended to read as follows:
 * 8 14 All fees and other moneys collected under this
 * 8 15 section and sections 478.4, 479.16, and 479A.9 shall
 * 8 16 be deposited into the ~~general fund of the state~~

SENATE AMENDMENT:

CODE: Conforming amendment relating to the establishment of the Department of Commerce Revolving Fund.

DETAIL: Requires amounts collected by the Utilities Division to be deposited with the Treasurer of State and credited to the Department of Commerce Revolving Fund. Fees paid to the Utilities Division are to be used for the payment, upon appropriation by the General Assembly, of the expenses of the Utilities Division and Consumer Advocate.

* 8 17 department of commerce revolving fund created in
 * 8 18 section 546.12 and expenses required to be paid under
 * 8 19 this section shall be paid from funds appropriated for
 * 8 20 those purposes. Moneys deposited into the general
 * 8 21 fund of the state pursuant to this section and
 * 8 22 sections 478.4, 479.16, and 479A.9 shall be subject to
 * 8 23 the requirements of section 8.60.

*H-1662

* 8 24 Sec. . Section 476.51, subsection 5, Code 2009,
 * 8 25 is amended to read as follows:
 * 8 26 5. Civil penalties collected pursuant to this
 * 8 27 section from utilities providing water, electric, or
 * 8 28 gas service shall be forwarded by the executive
 * 8 29 secretary of the board to the treasurer of state to be
 * 8 30 credited to the general fund of the state and to be
 * 8 31 used only for the low income home energy assistance
 * 8 32 program and the weatherization assistance program
 * 8 33 administered by the division of community action
 * 8 34 agencies of the department of human rights. Civil
 * 8 35 penalties collected pursuant to this section from
 * 8 36 utilities providing telecommunications service shall
 * 8 37 be forwarded to the treasurer of state to be credited
 * 8 38 to the general fund of the state department of
 * 8 39 commerce revolving fund created in section 546.12 to
 * 8 40 be used only for consumer education programs
 * 8 41 administered by the board. Penalties paid by a
 * 8 42 rate-regulated public utility pursuant to this section
 * 8 43 shall be excluded from the utility's costs when
 * 8 44 determining the utility's revenue requirement, and
 * 8 45 shall not be included either directly or indirectly in
 * 8 46 the utility's rates or charges to customers.

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* 8 47 Sec. . Section 476.87, subsection 3, Code 2009,
 * 8 48 is amended to read as follows:

SENATE AMENDMENT:

CODE: Conforming amendment relating to the establishment of the Department of Commerce Revolving Fund.

DETAIL: Credits civil penalties collected from utilities providing gas, water, or electric to the General Fund to be used only for the Low Income Home Energy Assistance Program and the Weatherization Assistance Program administered by the Department of Human Rights to the General Fund. Credits civil penalties collected from utilities providing telecommunications services to the Department of Commerce Revolving Fund to be used only for consumer education programs.

SENATE AMENDMENT:

CODE: Conforming amendment relating to the establishment of the Department of Commerce Revolving Fund.

* 8 49 3. The board shall allocate the costs and expenses
 * 8 50 reasonably attributable to certification and dispute
 * 9 1 resolution in this section to persons identified as
 * 9 2 parties to such proceeding who are engaged in or who
 * 9 3 seek to engage in providing natural gas services or
 * 9 4 other persons identified as participants in such
 * 9 5 proceeding. The funds received for the costs and the
 * 9 6 expenses of certification and dispute resolution shall
 * 9 7 be remitted to the treasurer of state for deposit in
 * 9 8 the ~~general fund of the state~~ department of commerce
 * 9 9 revolving fund created in section 546.12 as provided
 * 9 10 in section 476.10.

DETAIL: Requires funds received by the Utilities Division for the costs and expenses of certification and dispute resolution to be remitted to the Department of Commerce Revolving Fund.

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* 9 11 Sec. . Section 476.101, subsection 10, Code
 * 9 12 2009, is amended to read as follows:
 * 9 13 10. In a proceeding associated with the granting
 * 9 14 of a certificate under section 476.29, approving maps
 * 9 15 and tariffs for competitive local exchange providers
 * 9 16 provided for in this section, or in resolving a
 * 9 17 complaint filed pursuant to subsection 8 and
 * 9 18 proceedings under 47 U.S.C. 251==254, the board
 * 9 19 shall allocate the costs and expenses of the
 * 9 20 proceedings to persons identified as parties in the
 * 9 21 proceeding who are engaged in or who seek to engage in
 * 9 22 providing telecommunications services or other persons
 * 9 23 identified as participants in the proceeding. The
 * 9 24 funds received for the costs and the expenses shall be
 * 9 25 remitted to the treasurer of state for deposit in the
 * 9 26 ~~general fund of the state~~ department of commerce
 * 9 27 revolving fund created in section 546.12 as provided
 * 9 28 in section 476.10.

SENATE AMENDMENT:

CODE: Conforming amendment relating to the establishment of the Department of Commerce Revolving Fund.

DETAIL: Requires civil penalties related to the approval of maps and tariffs for competitive local exchange providers collected by the Utilities Division to be forwarded to the Department of Commerce Revolving Fund.

*H-1662

* 9 29 Sec. . Section 476.103, subsection 4, paragraph
 * 9 30 c, Code 2009, is amended to read as follows:

SENATE AMENDMENT:

CODE: Conforming amendment relating to the establishment of the Department of Commerce Revolving Fund.

* 9 31 c. A civil penalty collected pursuant to this
 * 9 32 subsection shall be forwarded by the executive
 * 9 33 secretary of the board to the treasurer of state to be
 * 9 34 credited to the ~~general fund of the state~~ department
 * 9 35 of commerce revolving fund created in section 546.12
 * 9 36 and to be used only for consumer education programs
 * 9 37 administered by the board.

DETAIL: Requires civil penalties related to unauthorized changes in service collected by the Utilities Division to be forwarded to the Department of Commerce Revolving Fund.

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* 9 38 Sec. . Section 476A.14, subsection 1, Code
 * 9 39 2009, is amended to read as follows:
 * 9 40 1. Any person who commences to construct a
 * 9 41 facility as provided in this subchapter without having
 * 9 42 first obtained a certificate, or who constructs,
 * 9 43 operates or maintains any facility other than in
 * 9 44 compliance with a certificate issued by the board or a
 * 9 45 certificate amended pursuant to this subchapter, or
 * 9 46 who causes any of these acts to occur, shall be liable
 * 9 47 for a civil penalty of not more than ten thousand
 * 9 48 dollars for each violation or for each day of
 * 9 49 continuing violation. Civil penalties collected
 * 9 50 pursuant to this subsection shall be forwarded by the
 * 10 1 clerk of court to the treasurer of state for deposit
 * 10 2 in the ~~general fund of the state~~ department of
 * 10 3 commerce revolving fund created in section 546.12 .

SENATE AMENDMENT:

CODE: Conforming amendment relating to the establishment of the Department of Commerce Revolving Fund.

DETAIL: Credits civil penalties related to facility construction without a certificate collected by the Utilities Division are to be forwarded to the Department of Commerce Revolving Fund.

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* 10 4 Sec. . Section 478.4, Code 2009, is amended to
 * 10 5 read as follows:
 * 10 6 478.4 FRANCHISE == HEARING.
 * 10 7 The utilities board shall consider the petition and
 * 10 8 any objections filed to it in the manner provided. It
 * 10 9 shall examine the proposed route or cause any engineer
 * 10 10 selected by it to do so. If a hearing is held on the
 * 10 11 petition it may hear testimony as may aid it in
 * 10 12 determining the propriety of granting the franchise.

SENATE AMENDMENT:

CODE: Conforming amendment relating to the establishment of the Department of Commerce Revolving Fund.

DETAIL: Requires funds received by the Utilities Division for the franchising process to be remitted for deposit in the Department of Commerce Revolving Fund.

* 10 13 It may grant the franchise in whole or in part upon
 * 10 14 the terms, conditions, and restrictions, and with the
 * 10 15 modifications as to location and route as may seem to
 * 10 16 it just and proper. Before granting the franchise,
 * 10 17 the utilities board shall make a finding that the
 * 10 18 proposed line or lines are necessary to serve a public
 * 10 19 use and represents a reasonable relationship to an
 * 10 20 overall plan of transmitting electricity in the public
 * 10 21 interest. A franchise shall not become effective
 * 10 22 until the petitioners shall pay, or file an agreement
 * 10 23 to pay, all costs and expenses of the franchise
 * 10 24 proceeding, whether or not objections are filed,
 * 10 25 including costs of inspections or examinations of the
 * 10 26 route, hearing, salaries, publishing of notice, and
 * 10 27 any other expenses reasonably attributable to it. The
 * 10 28 funds received for the costs and the expenses of the
 * 10 29 franchise proceeding shall be remitted to the
 * 10 30 treasurer of state for deposit in the ~~general fund of~~
 * 10 31 ~~the state~~ department of commerce revolving fund
 * 10 32 created in section 546.12 as provided in section
 * 10 33 476.10.

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* 10 34 Sec. . Section 479.16, Code 2009, is amended to
 * 10 35 read as follows:
 * 10 36 479.16 RECEIPT OF FUNDS.
 * 10 37 All moneys received under this chapter shall be
 * 10 38 remitted monthly to the treasurer of state and
 * 10 39 credited to the ~~general fund of the state~~ department
 * 10 40 of commerce revolving fund created in section 546.12
 * 10 41 as provided in section 476.10.
 * 10 42 Sec. . Section 479A.9, Code 2009, is amended to
 * 10 43 read as follows:
 * 10 44 479A.9 DEPOSIT OF FUNDS.
 * 10 45 Moneys received under this chapter shall be
 * 10 46 credited to the ~~general fund of the state~~ department
 * 10 47 of commerce revolving fund created in section 546.12

SENATE AMENDMENT:

CODE: Conforming amendment relating to the establishment of the Department of Commerce Revolving Fund.

DETAIL: Requires moneys related to pipeline and underground gas storage received by the Utilities Division to be remitted monthly and credited to the Department of Commerce Revolving Fund. All moneys received under this chapter, other than civil penalties in Section 479B.21, Code of Iowa will be credited to the Department of Commerce Revolving Fund.

* 10 48 as provided in section 476.10.
 * 10 49 Sec. . Section 479B.12, Code 2009, is amended
 * 10 50 to read as follows:
 * 11 1 479B.12 USE OF FUNDS.
 * 11 2 All moneys received under this chapter, other than
 * 11 3 civil penalties collected pursuant to section 479B.21,
 * 11 4 shall be remitted monthly to the treasurer of state
 * 11 5 and credited to the ~~general fund of the state~~
 * 11 6 department of commerce revolving fund created in
 * 11 7 section 546.12 .

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* 11 8 Sec. . Section 502.302, Code 2009, is amended
 * 11 9 by adding the following new subsection:
 * 11 10 NEW SUBSECTION . 5. DEPOSIT OF FEES. Fees
 * 11 11 collected under this section shall be deposited as
 * 11 12 provided in section 505.7.
 * 11 13 Sec. . Section 502.304A, subsection 3, Code
 * 11 14 2009, is amended by adding the following new
 * 11 15 paragraph:
 * 11 16 NEW PARAGRAPH . h. The fees collected under this
 * 11 17 subsection shall be deposited as provided in section
 * 11 18 505.7.
 * 11 19 Sec. . Section 502.305, subsection 2, Code
 * 11 20 2009, is amended to read as follows:
 * 11 21 2. FILING. Except as provided in subsection 10
 * 11 22 and section 502.304A, subsection 3, paragraph "g", a
 * 11 23 person who files a registration statement or a notice
 * 11 24 filing shall pay a filing fee of one-tenth of one
 * 11 25 percent of the proposed aggregate sales price of the
 * 11 26 securities to be offered to persons in this state
 * 11 27 pursuant to the registration statement or notice
 * 11 28 filing. However, except as provided in subsection 10,
 * 11 29 section 502.302, subsection 1, paragraph "a", and
 * 11 30 section 502.304A, subsection 3, paragraph "g", the
 * 11 31 annual filing fee shall not be less than fifty dollars
 * 11 32 or more than one thousand dollars. The administrator

SENATE AMENDMENT:

CODE: Conforming amendment relating to the establishment of the Department of Commerce Revolving Fund.

DETAIL: Requires fees collected by the Insurance Division under the Uniform Securities Act to be deposited in the Department of Commerce Revolving Fund.

* 11 33 shall retain the filing fee even if the notice filing
 * 11 34 is withdrawn or the registration is withdrawn, denied,
 * 11 35 suspended, revoked, or abandoned. The fees collected
 * 11 36 under this subsection shall be deposited as provided
 * 11 37 in section 505.7.
 * 11 38 Sec. . Section 502.321G, Code 2009, is amended
 * 11 39 to read as follows:
 * 11 40 502.321G FEES.
 * 11 41 The administrator shall charge a nonrefundable
 * 11 42 filing fee of two hundred fifty dollars for a
 * 11 43 registration statement filed by an offeror. The fee
 * 11 44 shall be deposited as provided in section 505.7.
 * 11 45 Sec. . Section 502.410, Code 2009, is amended
 * 11 46 by adding the following new subsection:
 * 11 47 NEW SUBSECTION . 7. DEPOSIT OF FEES. Except as
 * 11 48 otherwise provided in subsection 2, fees collected
 * 11 49 under this section shall be deposited as provided in
 * 11 50 section 505.7.

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* 12 1 Sec. . Section 505.7, subsection 1, Code 2009,
 * 12 2 is amended to read as follows:
 * 12 3 1. All fees and charges which are required by law
 * 12 4 to be paid by insurance companies, associations, and
 * 12 5 other regulated entities shall be payable to the
 * 12 6 commissioner of the insurance division of the
 * 12 7 department of commerce or department of revenue, as
 * 12 8 provided by law, whose duty it shall be to account for
 * 12 9 and pay over the same to the treasurer of state at the
 * 12 10 time and in the manner provided by law for deposit in
 * 12 11 the ~~general fund of the state~~ department of commerce
 * 12 12 revolving fund created in section 546.12 .
 * 12 13 Sec. . Section 505.7, subsection 3, Code 2009,
 * 12 14 is amended to read as follows:
 * 12 15 3. Forty percent of the nonexamination revenues
 * 12 16 payable to the division of insurance or the department
 * 12 17 of revenue in connection with the regulation of

SENATE AMENDMENT:

CODE: Conforming amendment relating to the establishment of the Department of Commerce Revolving Fund.

DETAIL: Requires all fees and charges required by law to be paid by insurance companies, associations, or other related entities to the Division of Insurance or Department of Revenue to be deposited in the Department of Commerce Revolving Fund. Forty percent of non-examination revenues in conjunction with the regulation of insurance companies will be deposited in the Department of Commerce Revolving Fund. The remaining non-examination revenues to the Division of Insurance or Department of Revenue will be deposited in the General Fund.

* 12 18 insurance companies or other entities subject to the
 * 12 19 regulatory jurisdiction of the division shall be
 * 12 20 deposited in the department of commerce revolving fund
 * 12 21 created in section 546.12 and shall be subject to
 * 12 22 annual appropriation to the division for its
 * 12 23 operations and is also subject to expenditure under
 * 12 24 subsection 6. The remaining nonexamination revenues
 * 12 25 payable to the division of insurance or the department
 * 12 26 of revenue shall be deposited in the general fund of
 * 12 27 the state.

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* 12 28 Sec. . Section 507.9, Code 2009, is amended to
 * 12 29 read as follows:
 * 12 30 507.9 FEES == ACCOUNTING.
 * 12 31 All fees collected under the provisions of this
 * 12 32 chapter shall be paid to the commissioner of insurance
 * 12 33 and shall be turned into the state treasury for
 * 12 34 deposit as provided in section 505.7 .
 * 12 35 Sec. . Section 507B.7, subsection 4, paragraph
 * 12 36 a, Code 2009, is amended to read as follows:
 * 12 37 a. A monetary penalty of not more than ten
 * 12 38 thousand dollars for each and every act or violation.
 * 12 39 A penalty collected under this lettered paragraph
 * 12 40 shall be deposited as provided in section 505.7.
 * 12 41 Sec. . Section 508.13, subsection 3, Code 2009,
 * 12 42 is amended to read as follows:
 * 12 43 3. A company that fails to timely file an
 * 12 44 application for renewal of its certificate of
 * 12 45 authority shall pay an administrative penalty of five
 * 12 46 hundred dollars to the treasurer of state for deposit
 * 12 47 in the general fund of the state as provided in
 * 12 48 section 505.7.
 * 12 49 Sec. . Section 508.14, subsection 4, Code 2009,
 * 12 50 is amended to read as follows:
 * 13 1 4. Amounts received by the commissioner pursuant
 * 13 2 to subsections 2 and 3 shall be paid to the treasurer

SENATE AMENDMENT:

CODE: Conforming amendment relating to the establishment of the Department of Commerce Revolving Fund.

DETAIL: Requires fees related to accounting examination of insurance companies by the Division of Insurance shall be deposited in the Department of Commerce Revolving Fund.

* 13 3 of state for deposit in the general fund of the state
* 13 4 as provided in section 505.7.

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* 13 5 Sec. . Section 508.15, Code 2009, is amended to
* 13 6 read as follows:
* 13 7 508.15 VIOLATION BY FOREIGN COMPANY.
* 13 8 Companies organized and chartered by the laws of a
* 13 9 foreign state or country, failing to file the evidence
* 13 10 of investment and statement within the time fixed, or
* 13 11 failing to timely file any financial statement
* 13 12 required by rule of the commissioner of insurance,
* 13 13 shall forfeit and pay five hundred dollars, to be
* 13 14 collected in an action in the name of the state and
* 13 15 paid to the treasurer of state for deposit in the
* 13 16 general fund of the state as provided in section
* 13 17 505.7, and their right to transact further new
* 13 18 business in this state shall immediately cease until
* 13 19 the requirements of this chapter have been fully
* 13 20 complied with. The commissioner may give notice to a
* 13 21 company which has failed to file within the time fixed
* 13 22 that the company is in violation of this section and
* 13 23 if the company fails to file the evidence of
* 13 24 investment and statement within ten days of the date
* 13 25 of the notice the company shall forfeit and pay the
* 13 26 additional sum of one hundred dollars for each day the
* 13 27 failure continues, to be paid to the treasurer of
* 13 28 state for deposit in the general fund of the state as
* 13 29 provided in section 505.7.

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* 13 30 Sec. . Section 508E.3, subsection 10, Code
* 13 31 2009, is amended to read as follows:
* 13 32 10. Fees collected pursuant to this section shall
* 13 33 be deposited into the general fund of the state as
* 13 34 provided in section 505.7 .

SENATE AMENDMENT:

CODE: Conforming amendment relating to the establishment of the Department of Commerce Revolving Fund.

DETAIL: Requires fines charged by the Insurance Division to companies organized by the laws of a foreign state or country for failing to file the evidence of investment or failing to timely file financial statements to be deposited in the Department of Commerce Revolving Fund.

SENATE AMENDMENT:

CODE: Conforming amendment relating to the establishment of the Department of Commerce Revolving Fund.

DETAIL: Requires fees collected by the Insurance Division to be deposited in the Department of Commerce Revolving Fund. Civil penalties are also to be deposited in the Department of Commerce

* 13 35 Sec. . Section 508E.16, subsection 5, Code
 * 13 36 2009, is amended to read as follows:
 * 13 37 5. In addition to the penalties and other
 * 13 38 enforcement provisions of this chapter, any person who
 * 13 39 violates this chapter is subject to a civil penalty of
 * 13 40 up to five thousand dollars for each violation of this
 * 13 41 chapter. The civil penalty shall be deposited into
 * 13 42 the general fund of the state as provided in section
 * 13 43 505.7 . If a person has not been ordered to pay
 * 13 44 restitution by a court, the commissioner's order may
 * 13 45 require a person found to be in violation of this
 * 13 46 chapter to make restitution to a person aggrieved by a
 * 13 47 violation of this chapter.

Revolving Fund.

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* 13 48 Sec. . Section 512B.25, Code 2009, is amended
 * 13 49 to read as follows:
 * 13 50 512B.25 ANNUAL LICENSE == RENEWAL.
 * 14 1 The authority of a society to transact business in
 * 14 2 this state may be renewed annually. A license
 * 14 3 terminates on the first day of June following issuance
 * 14 4 or renewal. A society shall submit annually on or
 * 14 5 before March 1 a completed application for renewal of
 * 14 6 its license. For each license or renewal the society
 * 14 7 shall pay the commissioner a fee of fifty dollars. A
 * 14 8 society that fails to timely file an application for
 * 14 9 renewal shall pay an administrative penalty of five
 * 14 10 hundred dollars to the treasurer of state for deposit
 * 14 11 in the general fund of the state as provided in
 * 14 12 section 505.7. A duly certified copy or duplicate of
 * 14 13 the license is prima facie evidence that the licensee
 * 14 14 is a fraternal benefit society within the meaning of
 * 14 15 this chapter.
 * 14 16 Sec. . Section 514.9A, Code 2009, is amended to
 * 14 17 read as follows:
 * 14 18 514.9A CERTIFICATE OF AUTHORITY == RENEWAL.
 * 14 19 A certificate of authority of a corporation formed

SENATE AMENDMENT:

CODE: Conforming amendment relating to the establishment of the Department of Commerce Revolving Fund.

DETAIL: Requires all licenses and administrative penalties for failure to renew a license to transact business in the State issued by the Division of Insurance will be deposited into the Department of Commerce Revolving Fund.

* 14 20 under this chapter expires on June 1 succeeding its
* 14 21 issue and shall be renewed annually so long as the
* 14 22 corporation transacts its business in accordance with
* 14 23 all legal requirements. A corporation shall submit
* 14 24 annually, on or before March 1, a completed
* 14 25 application for renewal of its certificate of
* 14 26 authority. A corporation that fails to timely file an
* 14 27 application for renewal shall pay an administrative
* 14 28 penalty of five hundred dollars to the treasurer of
* 14 29 state for deposit in the general fund of the state as
* 14 30 provided in section 505.7. A duly certified copy or
* 14 31 duplicate of the certificate is admissible in evidence
* 14 32 for or against the corporation with the same effect as
* 14 33 the original.
* 14 34 Sec. . Section 514B.3B, Code 2009, is amended
* 14 35 to read as follows:
* 14 36 514B.3B CERTIFICATE OF AUTHORITY == RENEWAL.
* 14 37 A certificate of authority of a health maintenance
* 14 38 organization formed under this chapter expires on June
* 14 39 1 succeeding its issue and shall be renewed annually
* 14 40 so long as the organization transacts its business in
* 14 41 accordance with all legal requirements. A health
* 14 42 maintenance organization shall submit annually, on or
* 14 43 before March 1, a completed application for renewal of
* 14 44 its certificate of authority. A health maintenance
* 14 45 organization that fails to timely file an application
* 14 46 for renewal shall pay an administrative penalty of
* 14 47 five hundred dollars to the treasurer of state for
* 14 48 deposit in the general fund of the state as provided
* 14 49 in section 505.7. A duly certified copy or duplicate
* 14 50 of the certificate is admissible in evidence for or
* 15 1 against the organization with the same effect as the
* 15 2 original.
* 15 3 Sec. . Section 514B.12, subsections 3 and 4,
* 15 4 Code 2009, are amended to read as follows:
* 15 5 3. A health maintenance organization that fails to
* 15 6 timely file the report required under subsection 1 is
* 15 7 in violation of this section and shall pay an

* 15 8 administrative penalty of five hundred dollars to the
* 15 9 treasurer of state for deposit in the general fund of
* 15 10 the state as provided in section 505.7.
* 15 11 4. The commissioner may give notice to a health
* 15 12 maintenance organization that the organization has not
* 15 13 timely filed the report required under subsection 1
* 15 14 and is in violation of this section. If the
* 15 15 organization fails to file the required report and
* 15 16 comply with this section within ten days of the date
* 15 17 of the notice, the organization shall pay an
* 15 18 additional administrative penalty of one hundred
* 15 19 dollars for each day that the failure continues to the
* 15 20 treasurer of state for deposit in the general fund of
* 15 21 the state as provided in section 505.7.

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* 15 22 Sec. . Section 514G.113, Code 2009, is amended
* 15 23 to read as follows:
* 15 24 514G.113 PENALTIES.
* 15 25 In addition to any other penalties provided by the
* 15 26 laws of this state, any insurer or any producer found
* 15 27 to have violated a provision of this chapter or any
* 15 28 other requirement of this state relating to the
* 15 29 regulation of long-term care insurance or the
* 15 30 marketing of such insurance shall be subject to a fine
* 15 31 of up to three times the amount of any commission paid
* 15 32 for each policy involved in the violation, or up to
* 15 33 ten thousand dollars, whichever is greater. A fine
* 15 34 collected under this section shall be deposited as
* 15 35 provided in section 505.7.

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* 15 36 Sec. . Section 515.42, Code 2009, is amended to
* 15 37 read as follows:
* 15 38 515.42 TENURE OF CERTIFICATE == RENEWAL ==
* 15 39 EVIDENCE.

SENATE AMENDMENT:

CODE: Conforming amendment relating to the establishment of the Department of Commerce Revolving Fund.

DETAIL: Requires an insurer or producer found in violation relating to long-term care insurance to be subject to a fine up to three times the amount paid for each policy or \$10,000, whichever is greater.

SENATE AMENDMENT:

CODE: Conforming amendment relating to the establishment of the Department of Commerce Revolving Fund.

DETAIL: Requires renewal fees of licenses and certificates and administrative penalties paid to the Insurance Division to be deposited

* 15 40 A certificate of authority shall expire on the in the Department of Commerce Revolving Fund.
 * 15 41 first day of June next succeeding its issue, and shall
 * 15 42 be renewed annually so long as such company shall
 * 15 43 transact business in accordance with the requirements
 * 15 44 of law; a copy of which certificate, when certified to
 * 15 45 by the commissioner of insurance, shall be admissible
 * 15 46 in evidence for or against a company with the same
 * 15 47 effect as the original. A company shall submit
 * 15 48 annually, on or before March 1, a completed
 * 15 49 application for renewal of its certificate of
 * 15 50 authority. A company that fails to timely file an
 * 16 1 application for renewal shall pay an administrative
 * 16 2 penalty of five hundred dollars to the treasurer of
 * 16 3 state for deposit in the general fund of the state as
 * 16 4 provided in section 505.7.
 * 16 5 Sec. . Section 515.121, subsections 1 and 3,
 * 16 6 Code 2009, are amended to read as follows:
 * 16 7 1. An excess and surplus lines insurance producer
 * 16 8 who fails to timely file the report required in
 * 16 9 section 515.120 is in violation of this section and
 * 16 10 shall pay an administrative penalty of five hundred
 * 16 11 dollars to the treasurer of state for deposit in the
 * 16 12 general fund of the state as provided in section
 * 16 13 505.7.
 * 16 14 3. The commissioner may give notice to a producer
 * 16 15 that the producer has not timely filed the report
 * 16 16 required under section 515.120 and is in violation of
 * 16 17 this section. If the producer fails to file the
 * 16 18 required report within ten days of the date of the
 * 16 19 notice, the producer shall pay an additional
 * 16 20 administrative penalty of one hundred dollars for each
 * 16 21 day that the failure continues to the treasurer of
 * 16 22 state for deposit in the general fund of the state as
 * 16 23 provided in section 505.7.
 * 16 24 Sec. . Section 515.146, Code 2009, is amended
 * 16 25 to read as follows:
 * 16 26 515.146 CERTIFICATE REFUSED == ADMINISTRATIVE
 * 16 27 PENALTY.

* 16 28 The commissioner of insurance shall withhold the
* 16 29 commissioner's certificate or permission of authority
* 16 30 to do business from a company neglecting or failing to
* 16 31 comply with this chapter. In addition, a company
* 16 32 organized or authorized under this chapter which fails
* 16 33 to file the annual statement referred to in section
* 16 34 515.63 in the time required shall pay and forfeit an
* 16 35 administrative penalty in an amount of five hundred
* 16 36 dollars to be collected in the name of the state for
* 16 37 deposit in the general fund of the state as provided
* 16 38 in section 505.7. The company's right to transact
* 16 39 further new business in this state shall immediately
* 16 40 cease until the company has fully complied with this
* 16 41 chapter. The commissioner may give notice to a
* 16 42 company which has failed to file within the time
* 16 43 required that the company is in violation of this
* 16 44 section and, if the company fails to file the evidence
* 16 45 of investment and statement within ten days of the
* 16 46 date of the notice, the company shall forfeit and pay
* 16 47 the additional sum of one hundred dollars for each day
* 16 48 the failure continues, to be paid to the treasurer of
* 16 49 state for deposit in the general fund of the state as
* 16 50 provided in section 505.7.
* 17 1 Sec. . Section 515.147, unnumbered paragraph 1,
* 17 2 Code 2009, is amended to read as follows:
* 17 3 Fees shall be paid to the commissioner of insurance
* 17 4 for deposit as provided in section 505.7 as follows:
* 17 5 Sec. . Section 515A.17, subsection 1, Code
* 17 6 2009, is amended to read as follows:
* 17 7 1. The commissioner may, if the commissioner finds
* 17 8 that any person or organization has violated any
* 17 9 provision of this chapter, impose a penalty of not
* 17 10 more than one thousand dollars for each such
* 17 11 violation, but if the commissioner finds such
* 17 12 violation to be willful the commissioner may impose a
* 17 13 penalty of not more than five thousand dollars for
* 17 14 each such violation. Such penalties may be in
* 17 15 addition to any other penalty provided by law. A

* 17 16 penalty collected under this subsection shall be
* 17 17 deposited as provided in section 505.7.
* 17 18 Sec. . Section 515F.19, Code 2009, is amended
* 17 19 by adding the following new unnumbered paragraph:
* 17 20 NEW UNNUMBERED PARAGRAPH . A penalty collected
* 17 21 under this section shall be deposited as provided in
* 17 22 section 505.7.
* 17 23 Sec. . Section 516E.2, subsection 2, Code 2009,
* 17 24 is amended to read as follows:
* 17 25 2. A service company shall not issue a service
* 17 26 contract or arrange to perform services pursuant to a
* 17 27 service contract unless the service company is
* 17 28 registered with the commissioner. A service company
* 17 29 shall file a registration with the commissioner
* 17 30 annually, on a form prescribed by the commissioner,
* 17 31 accompanied by a registration fee in the amount of
* 17 32 five hundred dollars. Fees collected under this
* 17 33 subsection shall be deposited as provided in section
* 17 34 505.7.
* 17 35 Sec. . Section 518.15, subsections 5 and 6,
* 17 36 Code 2009, are amended to read as follows:
* 17 37 5. An association formed under this chapter that
* 17 38 fails to timely file the statement required under
* 17 39 subsection 1 or the application for renewal required
* 17 40 under subsection 3 is in violation of this section and
* 17 41 shall pay an administrative penalty of five hundred
* 17 42 dollars to the treasurer of state for deposit in the
* 17 43 general fund of the state as provided in section
* 17 44 505.7. The association's right to transact new
* 17 45 business in this state shall immediately cease until
* 17 46 the association has fully complied with this chapter.
* 17 47 6. The commissioner may give notice to an
* 17 48 association that the association has not timely filed
* 17 49 the statement required under subsection 1 or an
* 17 50 application for renewal under subsection 3 and is in
* 18 1 violation of this section. If the association fails
* 18 2 to file the required statement or application and
* 18 3 comply with this section within ten days of the date

* 18 4 of the notice, the association shall pay an additional
* 18 5 administrative penalty of one hundred dollars for each
* 18 6 day that the failure continues to the treasurer of
* 18 7 state for deposit in the general fund of the state as
* 18 8 provided in section 505.7.
* 18 9 Sec. . Section 518A.18, subsections 2 and 3,
* 18 10 Code 2009, are amended to read as follows:
* 18 11 2. An association that fails to timely file the
* 18 12 statement required under subsection 1 is in violation
* 18 13 of this section and shall pay an administrative
* 18 14 penalty of five hundred dollars for each violation to
* 18 15 the treasurer of state for deposit in the general fund
* 18 16 of the state as provided in section 505.7.
* 18 17 3. The commissioner may give notice to an
* 18 18 association that the association has not timely filed
* 18 19 the statement required under subsection 1 and is in
* 18 20 violation of this section. If the association fails
* 18 21 to file the required statement and comply with this
* 18 22 section within ten days of the date of the notice, the
* 18 23 association shall pay an additional administrative
* 18 24 penalty of one hundred dollars for each day that each
* 18 25 failure continues to the treasurer of state for
* 18 26 deposit in the general fund of the state as provided
* 18 27 in section 505.7.
* 18 28 Sec. . Section 518A.40, subsection 4, Code
* 18 29 2009, is amended to read as follows:
* 18 30 4. An association that fails to timely file the
* 18 31 application for renewal required under subsection 2 is
* 18 32 in violation of this section and shall pay an
* 18 33 administrative penalty of five hundred dollars to the
* 18 34 treasurer of state for deposit in the general fund of
* 18 35 the state as provided in section 505.7.
* 18 36 Sec. . Section 520.10, subsections 4 and 5,
* 18 37 Code 2009, are amended to read as follows:
* 18 38 4. A reciprocal or interinsurance insurer that
* 18 39 fails to timely file the report required under
* 18 40 subsection 1 is in violation of this section and shall
* 18 41 pay an administrative penalty of five hundred dollars

* 18 42 to the treasurer of state for deposit in the general
* 18 43 fund of the state as provided in section 505.7.
* 18 44 5. The commissioner may give notice to a
* 18 45 reciprocal or interinsurance insurer that the insurer
* 18 46 has not timely filed the report required under
* 18 47 subsection 1 and is in violation of this section. If
* 18 48 the insurer fails to file the required report and
* 18 49 comply with this section within ten days of the date
* 18 50 of the notice, the insurer shall pay an additional
* 19 1 administrative penalty of one hundred dollars for each
* 19 2 day that the failure continues to the treasurer of
* 19 3 state for deposit in the general fund of the state as
* 19 4 provided in section 505.7.
* 19 5 Sec. . Section 520.12, subsection 2, Code 2009,
* 19 6 is amended to read as follows:
* 19 7 2. A reciprocal or interinsurance insurer shall
* 19 8 submit annually, on or before March 1, a completed
* 19 9 application for renewal of the insurer's certificate
* 19 10 of authority. An insurer that fails to timely file an
* 19 11 application for renewal shall pay an administrative
* 19 12 fee of five hundred dollars to the treasurer of state
* 19 13 for deposit in the general fund of the state as
* 19 14 provided in section 505.7.
* 19 15 Sec. . Section 521A.10, subsection 1, Code
* 19 16 2009, is amended to read as follows:
* 19 17 1. If the commissioner finds after notice and
* 19 18 hearing that a person subject to registration under
* 19 19 section 521A.4 failed without just cause to file a
* 19 20 registration statement as required in this chapter,
* 19 21 the person shall be required to pay a penalty of one
* 19 22 thousand dollars for each day's delay. The penalty
* 19 23 shall be recovered by the commissioner and paid into
* 19 24 the state general fund deposited as provided in
* 19 25 section 505.7 . The maximum penalty under this section
* 19 26 is ten thousand dollars. The commissioner may reduce
* 19 27 the penalty if the person demonstrates that the
* 19 28 imposition of the penalty would constitute a financial
* 19 29 hardship to the person.

* 19 30 Sec. . Section 522A.5, Code 2009, is amended to
 * 19 31 read as follows:
 * 19 32 522A.5 FEES.
 * 19 33 The fee for a counter employee license shall be
 * 19 34 fifty dollars per counter employee. In no case shall
 * 19 35 any combined fees exceed one thousand dollars in any
 * 19 36 calendar year for any one rental company or limited
 * 19 37 license or licensee or renewal license. The fees
 * 19 38 collected under this section shall be deposited as
 * 19 39 provided in section 505.7.
 * 19 40 Sec. . Section 522B.5, Code 2009, is amended by
 * 19 41 adding the following new subsection:
 * 19 42 NEW SUBSECTION . 4. Fees collected under this
 * 19 43 section shall be deposited as provided in section
 * 19 44 505.7.
 * 19 45 Sec. . Section 523A.204, subsection 4, Code
 * 19 46 2009, is amended to read as follows:
 * 19 47 4. The commissioner shall levy an administrative
 * 19 48 penalty in the amount of five hundred dollars against
 * 19 49 a preneed seller that fails to file the annual report
 * 19 50 when due, payable to the state for deposit in the
 * 20 1 general fund of the state as provided in section
 * 20 2 505.7 .
 * 20 3 Sec. . Section 523A.501, Code 2009, is amended
 * 20 4 by adding the following new subsection:
 * 20 5 NEW SUBSECTION . 9. Fees collected under this
 * 20 6 section shall be deposited as provided in section
 * 20 7 505.7.
 * 20 8 Sec. . Section 523A.502, subsection 3, Code
 * 20 9 2009, is amended to read as follows:
 * 20 10 3. An application for a sales license shall be
 * 20 11 filed on a form prescribed by the commissioner and be
 * 20 12 accompanied by a filing fee in an amount set by the
 * 20 13 commissioner by rule. The fees collected under this
 * 20 14 subsection shall be deposited as provided in section
 * 20 15 505.7.
 * 20 16 Sec. . Section 523A.502A, subsection 3, Code
 * 20 17 2009, is amended to read as follows:

* 20 18 3. The commissioner shall levy an administrative
 * 20 19 penalty in the amount of five hundred dollars against
 * 20 20 a sales agent who fails to file an annual report when
 * 20 21 due, payable to the state for deposit in the general
 * 20 22 fund as provided in section 505.7 .
 * 20 23 Sec. . Section 523A.504, subsection 2, Code
 * 20 24 2009, is amended to read as follows:
 * 20 25 2. A preneed seller shall pay an annual fee of
 * 20 26 five dollars for each sales agent appointed by the
 * 20 27 preneed seller, which fee shall be submitted with the
 * 20 28 annual report. Fees collected under this subsection
 * 20 29 shall be deposited as provided in section 505.7.
 * 20 30 Sec. . Section 523A.807, subsection 3,
 * 20 31 paragraph a, Code 2009, is amended to read as follows:
 * 20 32 a. Payment of a civil penalty of not more than one
 * 20 33 thousand dollars for each violation, but not exceeding
 * 20 34 an aggregate of ten thousand dollars during any
 * 20 35 six=month period, except that if the commissioner
 * 20 36 finds that the person knew or reasonably should have
 * 20 37 known that the person was in violation of such
 * 20 38 provisions or rules adopted pursuant thereto, the
 * 20 39 penalty shall be not more than five thousand dollars
 * 20 40 for each violation, but not exceeding an aggregate of
 * 20 41 fifty thousand dollars during any six=month period.
 * 20 42 The commissioner shall assess the penalty on the
 * 20 43 employer of an individual and not on the individual,
 * 20 44 if the commissioner finds that the violations
 * 20 45 committed by the individual were directed, encouraged,
 * 20 46 condoned, ignored, or ratified by the individual's
 * 20 47 employer. Any civil penalties collected under this
 * 20 48 subsection shall be deposited as provided in section
 * 20 49 505.7.

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* 20 50 Sec. . Section 523A.812, Code 2009, is amended
 * 21 1 to read as follows:
 * 21 2 523A.812 INSURANCE DIVISION REGULATORY FUND.

SENATE AMENDMENT:

CODE: Conforming amendment relating to the establishment of the Department of Commerce Revolving Fund.

* 21 3 The insurance division may authorize the creation
 * 21 4 of a special revenue fund in the state treasury, to be
 * 21 5 known as the insurance division regulatory fund. The
 * 21 6 commissioner shall allocate annually from the fees
 * 21 7 paid pursuant to section 523A.204, two dollars for
 * 21 8 each purchase agreement reported on a preneed seller's
 * 21 9 annual report filed pursuant to section 523A.204 for
 * 21 10 deposit to the regulatory fund. The remainder of the
 * 21 11 fees collected pursuant to section 523A.204 shall be
 * 21 12 deposited into the general fund of the state as
 * 21 13 provided in section 505.7 . The commissioner shall
 * 21 14 also allocate annually the examination fees paid
 * 21 15 pursuant to section 523A.814 and any examination
 * 21 16 expense reimbursement for deposit to the regulatory
 * 21 17 fund. The moneys in the regulatory fund shall be
 * 21 18 retained in the fund. The moneys are appropriated
 * 21 19 and, subject to authorization by the commissioner, may
 * 21 20 be used to pay examiners, examination expenses,
 * 21 21 investigative expenses, the expenses of mediation
 * 21 22 ordered by the commissioner, consumer education
 * 21 23 expenses, the expenses of a toll-free telephone line
 * 21 24 to receive consumer complaints, and the expenses of
 * 21 25 receiverships established under section 523A.811. If
 * 21 26 the commissioner determines that funding is not
 * 21 27 otherwise available to reimburse the expenses of a
 * 21 28 person who receives title to a cemetery subject to
 * 21 29 chapter 523I, pursuant to such a receivership, the
 * 21 30 commissioner shall use moneys in the regulatory fund
 * 21 31 as necessary to preserve, protect, restore, and
 * 21 32 maintain the physical integrity of that cemetery and
 * 21 33 to satisfy claims or demands for cemetery merchandise,
 * 21 34 funeral merchandise, and funeral services based on
 * 21 35 purchase agreements which the commissioner determines
 * 21 36 are just and outstanding. An annual allocation to the
 * 21 37 regulatory fund shall not be imposed if the current
 * 21 38 balance of the fund exceeds five hundred thousand
 * 21 39 dollars.

DETAIL: Allows \$2 from each purchase agreement reported on a preneed seller's annual report to be deposited in the Insurance Division Regulatory Fund. The remainder of the fees are to be deposited in the Department of Commerce Revolving Fund.

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* 21 40 Sec. . Section 523C.3, Code 2009, is amended by
* 21 41 adding the following new subsection:

* 21 42 NEW SUBSECTION . 4. Fees collected under this
* 21 43 section shall be deposited as provided in section
* 21 44 505.7.

* 21 45 Sec. . Section 523C.13, subsection 1, Code
* 21 46 2009, is amended to read as follows:

* 21 47 1. Payment of a civil penalty of not more than one
* 21 48 thousand dollars for each and every act or violation,
* 21 49 but not to exceed an aggregate of ten thousand
* 21 50 dollars, unless the person knew or reasonably should
* 22 1 have known the person was in violation of this

* 22 2 section, in which case the penalty shall be not more
* 22 3 than five thousand dollars for each and every act or
* 22 4 violation, but not to exceed an aggregate penalty of
* 22 5 fifty thousand dollars in any one six-month period.

* 22 6 The commissioner shall, if it finds the violations of
* 22 7 this section were directed, encouraged, condoned,
* 22 8 ignored, or ratified by the employer of such person,
* 22 9 assess such fine to the employer and not such person.

* 22 10 Any civil penalties collected under this subsection
* 22 11 shall be deposited as provided in section 505.7.

* 22 12 Sec. . Section 523D.2A, unnumbered paragraph 1,
* 22 13 Code 2009, is amended to read as follows:

* 22 14 On or before March 1 of each year, a provider shall
* 22 15 file a certification with the commissioner in a manner
* 22 16 and according to requirements established by the
* 22 17 commissioner. The certification shall be accompanied
* 22 18 by a one hundred dollar administrative fee which fee
* 22 19 shall be deposited as provided in section 505.7 . The

* 22 20 certification shall attest that according to the best
* 22 21 knowledge and belief of the attesting party, the
* 22 22 facility administered by the provider is in compliance
* 22 23 with the provisions of this chapter, including rules
* 22 24 adopted by the commissioner or orders issued by the
* 22 25 commissioner as authorized under this chapter. The

SENATE AMENDMENT:

CODE: Conforming amendment relating to the establishment of the Department of Commerce Revolving Fund.

DETAIL: Requires civil penalties assessed by the Insurance Division to be deposited in the Department of Commerce Revolving Fund.

* 22 26 attesting person may be any of the following:
 * 22 27 Sec. . Section 523I.205, subsection 3, Code
 * 22 28 2009, is amended to read as follows:
 * 22 29 3. A person who violates a provision of this
 * 22 30 chapter or rules adopted or orders issued under this
 * 22 31 chapter may be subject to civil penalties in addition
 * 22 32 to criminal penalties. The commissioner may impose,
 * 22 33 assess, and collect a civil penalty not exceeding ten
 * 22 34 thousand dollars for each violation. For the purposes
 * 22 35 of computing the amount of each civil penalty, each
 * 22 36 day of a continuing violation constitutes a separate
 * 22 37 violation. All civil penalties collected pursuant to
 * 22 38 this section shall be deposited in the general fund of
 * 22 39 the state as provided in section 505.7 .
 * 22 40 Sec. . Section 523I.813, subsection 3, Code
 * 22 41 2009, is amended to read as follows:
 * 22 42 3. The commissioner shall levy an administrative
 * 22 43 penalty in the amount of five hundred dollars against
 * 22 44 a cemetery that fails to file the annual report when
 * 22 45 due, payable to the state for deposit in the general
 * 22 46 fund of the state as provided in section 505.7 .

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* 22 47 Sec. . Section 524.207, subsections 1, 3, and
 * 22 48 4, Code 2009, are amended to read as follows:
 * 22 49 1. All Except as otherwise provided by statute,
 * 22 50 all expenses required in the discharge of the duties
 * 23 1 and responsibilities imposed upon the banking division
 * 23 2 of the department of commerce, the superintendent, and
 * 23 3 the state banking council by the laws of this state
 * 23 4 shall be paid from fees provided by the laws of this
 * 23 5 state and appropriated by the general assembly from
 * 23 6 the general fund of the state department of commerce
 * 23 7 revolving fund created in section 546.12 . All of
 * 23 8 these fees are payable to the superintendent. The
 * 23 9 superintendent shall pay all the fees and other moneys
 * 23 10 received by the superintendent to the treasurer of

SENATE AMENDMENT:

CODE: Conforming amendment relating to the establishment of the Department of Commerce Revolving Fund.

DETAIL: Requires fees and moneys paid to the Banking Division to be deposited in the Department of Commerce Revolving Fund.

* 23 11 state within the time required by section 12.10 and
* 23 12 the fees and other moneys shall be deposited into the
* 23 13 ~~general fund of the state~~ department of commerce
* 23 14 revolving fund created in section 546.12 . The
* 23 15 ~~superintendent may keep on hand with the treasurer of~~
* 23 16 ~~state funds in excess of the current needs of the~~
* 23 17 ~~division to the extent recommended by the state~~
* 23 18 ~~banking council.~~
* 23 19 3. The banking division may expend additional
* 23 20 funds, including funds for additional personnel, if
* 23 21 those additional expenditures are actual expenses
* 23 22 which exceed the funds budgeted for bank or licensee
* 23 23 examinations or investigations and directly result
* 23 24 from examinations or investigations of banks or
* 23 25 licensees . The amounts necessary to fund the excess
* 23 26 examination or investigation expenses shall be
* 23 27 collected from banks and licensees being regulated,
* 23 28 and the collections shall be treated as repayment
* 23 29 receipts as defined in section 8.2. The division
* 23 30 shall notify in writing the legislative services
* 23 31 agency and the department of management when hiring
* 23 32 additional personnel. The written notification shall
* 23 33 include documentation that any additional expenditure
* 23 34 related to such hiring will be totally reimbursed to
* 23 35 ~~the general fund~~ as provided in section 546.12,
* 23 36 subsection 2 , and shall also include the division's
* 23 37 justification for hiring such personnel. The division
* 23 38 must obtain the approval of the department of
* 23 39 management only if the number of additional personnel
* 23 40 to be hired exceeds the number of full-time equivalent
* 23 41 positions authorized by the general assembly.
* 23 42 4. All fees and moneys collected shall be
* 23 43 deposited into the ~~general fund of the state~~
* 23 44 department of commerce revolving fund created in
* 23 45 section 546.12 and expenses required to be paid under
* 23 46 this section shall be paid from funds moneys in the
* 23 47 department of commerce revolving fund and appropriated
* 23 48 for those purposes. ~~Moneys deposited into the general~~

* 23 49 fund of the state pursuant to this section shall be
 * 23 50 subject to the requirements of section 8.60.

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* 24 1 Sec. . Section 533.111, subsections 1, 3, 4,
 * 24 2 and 5, Code 2009, are amended to read as follows:
 * 24 3 1. a. All expenses required in the discharge of
 * 24 4 the duties and responsibilities imposed upon the
 * 24 5 credit union division, the superintendent, and the
 * 24 6 review board by the laws of this state shall be paid
 * 24 7 from fees provided by the laws of this state and
 * 24 8 appropriated by the general assembly from the general
 * 24 9 fund of the state department of commerce revolving
 * 24 10 fund created in section 546.12 .
 * 24 11 b. All fees imposed under this chapter are payable
 * 24 12 to the superintendent, who shall pay all fees and
 * 24 13 other moneys received to the treasurer of state within
 * 24 14 the time required by section 12.10. The treasurer of
 * 24 15 state shall deposit such funds in the general fund of
 * 24 16 the state department of commerce revolving fund
 * 24 17 created in section 546.12 .
 * 24 18 3. The credit union division may expend additional
 * 24 19 funds, including funds for additional personnel, if
 * 24 20 the additional expenditures are actual expenses that
 * 24 21 exceed the funds budgeted for credit union
 * 24 22 examinations and directly result from examinations of
 * 24 23 state credit unions.
 * 24 24 a. The amounts necessary to fund the excess
 * 24 25 examination expenses shall be collected from state
 * 24 26 credit unions being regulated, and the collections
 * 24 27 shall be treated as repayment receipts as defined in
 * 24 28 section 8.2.
 * 24 29 b. The division shall notify in writing the
 * 24 30 legislative services agency and the department of
 * 24 31 management when hiring additional personnel. The
 * 24 32 written notification shall include documentation that
 * 24 33 any additional expenditure related to such hiring will

SENATE AMENDMENT:

CODE: Conforming amendment relating to the establishment of the Department of Commerce Revolving Fund.

DETAIL: Requires fees and moneys paid to the Credit Union Division to be deposited in the Department of Commerce Revolving Fund.

* 24 34 be totally reimbursed to the general fund of the state
 * 24 35 as provided in section 546.12, subsection 2 , and shall
 * 24 36 also include the division's justification for hiring
 * 24 37 such personnel. The division must obtain the approval
 * 24 38 of the department of management only if the number of
 * 24 39 additional personnel to be hired exceeds the number of
 * 24 40 full-time equivalent positions authorized by the
 * 24 41 general assembly.
 * 24 42 4. a. All fees and other moneys collected shall
 * 24 43 be deposited into the general fund of the state
 * 24 44 department of commerce revolving fund created in
 * 24 45 section 546.12 and expenses required to be paid under
 * 24 46 this section shall be paid from funds moneys in the
 * 24 47 department of commerce revolving fund and appropriated
 * 24 48 for those purposes. Moneys deposited into the general
 * 24 49 fund of the state pursuant to this section shall be
 * 24 50 subject to the requirements of section 8.60.
 * 25 1 b. Funds appropriated to the credit union division
 * 25 2 shall be subject at all times to the warrant of the
 * 25 3 director of revenue, drawn upon written requisition of
 * 25 4 the superintendent or a designated representative, for
 * 25 5 the payment of all salaries and other expenses
 * 25 6 necessary to carry out the duties of the credit union
 * 25 7 division.
 * 25 8 5. The credit union division may accept
 * 25 9 reimbursement of expenses related to the examination
 * 25 10 of a state credit union from the national credit union
 * 25 11 administration or any other guarantor or insurance
 * 25 12 plan authorized by this chapter. These reimbursements
 * 25 13 shall be deposited into the general fund of the state
 * 25 14 department of commerce revolving fund created in
 * 25 15 section 546.12 .
 * 25 16 Sec. . Section 533A.14, Code 2009, is amended
 * 25 17 to read as follows:
 * 25 18 533A.14 FEES TO STATE TREASURER.
 * 25 19 All moneys received by the superintendent from
 * 25 20 fees, licenses and examinations pursuant to this
 * 25 21 chapter shall be deposited by the superintendent with

- * 25 22 the treasurer of state for deposit in the department
 * 25 23 of commerce revolving fund created in section 546.12 .

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- * 25 24 Sec. . Section 534.305, Code 2009, is amended
 * 25 25 to read as follows:
 * 25 26 534.305 REDEMPTION.
 * 25 27 When funds are on hand for the purpose, the
 * 25 28 association may redeem by lot or otherwise, as the
 * 25 29 board of directors determines, all or any part of any
 * 25 30 of its savings accounts on a dividend date by giving
 * 25 31 thirty days' notice by registered mail addressed to
 * 25 32 the account holders at their last addresses recorded
 * 25 33 on the books of the association. An association shall
 * 25 34 not redeem its share accounts when the association is
 * 25 35 in an impaired condition or when it has applications
 * 25 36 for withdrawal which have been on file more than
 * 25 37 thirty days and have not been reached for payment.
 * 25 38 The redemption price of a savings account shall be the
 * 25 39 full value of the account redeemed, as determined by
 * 25 40 the board of directors, but the redemption value shall
 * 25 41 not be less than the withdrawal value. If the notice
 * 25 42 of redemption has been given, and if on or before the
 * 25 43 redemption date the funds necessary for the redemption
 * 25 44 have been set aside for redemptions, dividends upon
 * 25 45 the accounts called for redemption shall cease to
 * 25 46 accrue from and after the dividend date specified as
 * 25 47 the redemption date, and rights with respect to those
 * 25 48 accounts terminate as of the redemption date, subject
 * 25 49 only to the right of the account holder of record to
 * 25 50 receive the redemption value without interest.
 * 26 1 Savings accounts which have been validly called for
 * 26 2 redemption must be tendered for payment within ten
 * 26 3 years from the date of redemption designated in the
 * 26 4 redemption notice, or they shall be canceled and paid
 * 26 5 to the treasurer of state for deposit in the ~~general~~
 * 26 6 ~~fund of the state~~ department of commerce revolving

SENATE AMENDMENT:

CODE: Conforming amendment relating to the establishment of the Department of Commerce Revolving Fund.

DETAIL: Permits savings accounts that have been validly called for redemption to be tendered for payment within ten years from the date of redemption designated in the redemption notice, or paid to the Department of Commerce Revolving Fund and all claims of the account holders against the association are barred forever.

* 26 7 fund created in section 546.12 and all claims of the
 * 26 8 account holders against the association are barred
 * 26 9 forever. Redemption shall not be made of any savings
 * 26 10 accounts which are held by a person who is a director
 * 26 11 and which are necessary to qualify the person to act
 * 26 12 as director.
 * 26 13 Sec. . Section 534.408, Code 2009, is amended
 * 26 14 by adding the following new subsection:
 * 26 15 NEW SUBSECTION . 3. All fees collected under this
 * 26 16 chapter shall be deposited with the treasurer of state
 * 26 17 in the department of commerce revolving fund created
 * 26 18 in section 546.12.

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* 26 19 Sec. . NEW SECTION . 546.12 DEPARTMENT OF
 * 26 20 COMMERCE REVOLVING FUND.
 * 26 21 1. A department of commerce revolving fund is
 * 26 22 created in the state treasury. The fund shall consist
 * 26 23 of moneys collected by the banking division; credit
 * 26 24 union division; utilities division, including moneys
 * 26 25 collected on behalf of the office of consumer advocate
 * 26 26 established in section 475A.3; and the insurance
 * 26 27 division of the department; and deposited into an
 * 26 28 account for that division or office within the fund on
 * 26 29 a monthly basis. Except as otherwise provided by
 * 26 30 statute, all costs for operating the office of
 * 26 31 consumer advocate and the banking division, the credit
 * 26 32 union division, the utilities division, and the
 * 26 33 insurance division of the department shall be paid
 * 26 34 from the division's accounts within the fund, subject
 * 26 35 to appropriation by the general assembly.

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* 26 36 2. To meet cash flow needs for the office of
 * 26 37 consumer advocate and the banking division, credit
 * 26 38 union division, utilities division, or the insurance

SENATE AMENDMENT:

CODE: Creates the Department of Commerce Revolving Fund in the State Treasury. The Fund is to consist of moneys collected by the Banking Division, Credit Union Division, Insurance Division, Utilities Division. Except as otherwise provided by statute, all costs for operating the divisions are to be paid from the Revolving Fund, subject to appropriation by the General Assembly.

SENATE AMENDMENT:

CODE: Permits each division to temporarily use funds from the General Fund to pay expenditures in excess of the amount of money available in the Revolving Fund to meet cash flow needs.

PG LN

HF809 as amended by H-1662

Explanation

* 26 39 division of the department, the administrative head of
* 26 40 that division or office may temporarily use funds from
* 26 41 the general fund of the state to pay expenses in
* 26 42 excess of moneys available in the revolving fund for
* 26 43 that division or office if those additional
* 26 44 expenditures are fully reimbursable and the division
* 26 45 or office reimburses the general fund of the state and
* 26 46 ensures all moneys are repaid in full by the close of
* 26 47 the fiscal year. Because any general fund moneys used
* 26 48 shall be fully reimbursed, such temporary use of funds
* 26 49 from the general fund of the state shall not
* 26 50 constitute an appropriation for purposes of
* 27 1 calculating the state general fund expenditure
* 27 2 limitation pursuant to section 8.54.

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* 27 3 Sec. . 2009 Iowa Acts, Senate File 475, section
* 27 4 2, if enacted, is amended by striking the section and
* 27 5 inserting in lieu thereof the following:
* 27 6 SEC. 2. OFFICE OF CONSUMER ADVOCATE. There is
* 27 7 appropriated from the department of commerce revolving
* 27 8 fund created in section 546.12, if enacted by 2009
* 27 9 Iowa Acts, House File 809, to the office of consumer
* 27 10 advocate of the department of justice for the fiscal
* 27 11 year beginning July 1, 2009, and ending June 30, 2010,
* 27 12 the following amount, or so much thereof as is
* 27 13 necessary, to be used for the purposes designated:
* 27 14 For salaries, support, maintenance, miscellaneous
* 27 15 purposes, and for not more than the following
* 27 16 full-time equivalent positions:
* 27 17 \$ 3,138,888
* 27 18 FTEs 27.00

31 23 DIVISION VIII

31 24 DEPARTMENT OF INSPECTIONS AND APPEALS PROVISIONS

31 25 Sec. 55. Section 99B.2, subsection 1, paragraph a,

SENATE AMENDMENT

CODE: Strikes a General Fund appropriation of \$2,809,606 and 27.00 FTE positions from SF 475 (Justice System Appropriations Bill) for the Office of Consumer Advocate and appropriates \$3,138,888 and 27.00 FTE positions from the Department of Commerce Revolving Fund.

CODE: Eliminates a requirement that the Department of Inspections

31 26 unnumbered paragraph 1, Code 2009, is amended to read as
 31 27 follows:
 31 28 The department of inspections and appeals shall issue the
 31 29 licenses required by this chapter. A license shall not be
 31 30 issued, except upon submission to the department of an
 31 31 application on forms ~~furnished~~ determined by the department,
 31 32 and the required license fee. A license may be issued to an
 31 33 eligible applicant. ~~An authorization number to operate may be~~
 31 34 ~~issued to an applicant until a license is issued.~~ However, a
 31 35 license ~~or authorization number~~ shall not be issued to an
 32 1 applicant who has been convicted of or pled guilty to a
 32 2 violation of this chapter, or who has been convicted of or
 32 3 pled guilty to a violation of chapter 123 that resulted, at
 32 4 any time, in revocation of a license issued to the applicant
 32 5 under chapter 123 or that resulted, within the twelve months
 32 6 preceding the date of application for a license required by
 32 7 this chapter, in suspension of a license issued under chapter
 32 8 123. To be eligible for a two-year license under section
 32 9 99B.7, an organization shall have been in existence at least
 32 10 five years prior to the date of issuance of the license.
 32 11 However, an organization which has been in existence for less
 32 12 than five years prior to the date of issuance of the license
 32 13 may obtain a two-year license if either of the following
 32 14 conditions apply:

and Appeals (DIA) provide temporary authorization numbers until a
 bingo license is issued.

32 15 Sec. 56. Section 99B.2, subsection 1, paragraph b, Code
 32 16 2009, is amended to read as follows:
 32 17 b. A license shall not be issued to an individual whose
 32 18 previous license issued under this chapter or chapter 123 has
 32 19 been revoked until the period of revocation or revocations has
 32 20 elapsed. This prohibition applies even though the individual
 32 21 has created a different legal entity than the one to which the
 32 22 previous license that had been revoked was issued. Except as
 32 23 otherwise provided in this chapter, a license is valid for a
 32 24 period of two years from the date of issue. The license fee
 32 25 is not refundable, but shall be returned to the applicant if
 32 26 an application is not approved. ~~If a bingo license is issued~~

CODE: Eliminates a requirement that the DIA notify a bingo licensee
 of a renewal for a bingo license ten days prior to the renewal date.

32 27 ~~by the department of inspections and appeals, the licensee~~
 32 28 ~~shall be notified by the department of inspections and appeals~~
 32 29 ~~of the renewal date for the license ten days prior to that~~
 32 30 ~~date.~~

32 31 Sec. 57. Section 99B.2, subsection 4, Code 2009, is
 32 32 amended to read as follows:
 32 33 4. A licensee required by subsection 2 to maintain records
 32 34 shall submit ~~quarterly reports~~ an annual report to the
 32 35 department on forms furnished by the department. ~~These~~
 33 1 ~~reports~~ The annual report shall be due thirty days following
 33 2 the end of each ~~calendar quarter~~ fiscal year. The ~~reports~~
 33 3 annual report shall contain a compilation of the information
 33 4 required to be recorded by subsection 2, and shall include all
 33 5 of the transactions occurring during the ~~three-month period~~
 33 6 previous fiscal year for which the report is submitted.
 33 7 Failure to submit the ~~quarterly reports~~ annual report is
 33 8 grounds for revocation of the license. Willful failure to
 33 9 submit ~~quarterly reports~~ the annual report is a serious
 33 10 misdemeanor. ~~However, the time for filing of reports may be~~
 33 11 ~~extended for thirty days if the licensee makes written request~~
 33 12 ~~to the department for an extension which request shows good~~
 33 13 ~~cause for granting the extension.~~ A person who intentionally
 33 14 files a false or fraudulent report or application with the
 33 15 department commits a fraudulent practice.

CODE: Changes bingo licensee reporting requirements to the DIA
 from quarterly reports to an annual report.

33 16 Sec. 58. STATE=LICENSED HEALTH CARE FACILITY INSPECTIONS.
 33 17 Notwithstanding any provision of section 135C.16 to the
 33 18 contrary, inspections in health care facilities that are only
 33 19 state=licensed and not certified under the federal Medicare or
 33 20 Medicaid programs, shall not be inspected every thirty months,
 33 21 but shall only be inspected pursuant to sections 135C.9 and
 33 22 135C.38.

CODE: Requires that state-licensed health care facilities that are not
 certified under federal Medicare and Medicaid programs, not be
 inspected every 30 months, but only be inspected upon a complaint.

*H-1662

* 27 19 DIVISION IX"

SENATE AMENDMENT:

CODE: Strikes language related to complaint-only inspections of

* 27 20 #13. Page 33, by striking lines 16 through 22 and
 * 27 21 inserting the following:
 * 27 22 "Sec. . Section 237.18, subsections 3 and 4,
 * 27 23 Code 2009, are amended to read as follows:
 * 27 24 3. Assign the ~~case~~ cases of ~~each child~~ children
 * 27 25 receiving foster care ~~within the judicial district~~ to
 * 27 26 the appropriate local ~~board~~ boards .
 * 27 27 4. Assist local boards in reviewing ~~each case~~
 * 27 28 cases of ~~a child~~ children receiving foster care, as
 * 27 29 provided in section 237.20.

health care facilities. Changes the requirements for the Foster Care Review Board.

*H-1662

* 27 30 Sec. . Section 237.20, subsection 1, unnumbered
 * 27 31 paragraph 1, Code 2009, is amended to read as follows:
 * 27 32 Review ~~at least every six months~~ the case of each
 * 27 33 child receiving foster care assigned to the local
 * 27 34 board by the state board to determine whether
 * 27 35 satisfactory progress is being made toward the goals
 * 27 36 of the case permanency plan pursuant to section
 * 27 37 237.22. ~~As much as is possible, review shall be~~
 * 27 38 ~~conducted immediately prior to~~ The timing and
 * 27 39 frequency of a review of each case by a local board
 * 27 40 shall take into consideration the permanency goals,
 * 27 41 placement setting, and frequency of any court reviews
 * 27 42 of the case."

SENATE AMENDMENT:

CODE: Strikes the requirement for six-month review of cases by local Foster Care Review Boards.

Summary Data

General Fund

	Actual FY 2008	Estimated Net FY 2009	House Action FY 2010	Senate Action FY 2010	Senate Action vs. Est Net 2009	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)
Administration and Regulation	\$ 95,849,847	\$ 97,529,560	\$ 85,942,368	\$ 64,292,526	\$ -33,237,034	
Justice System	0	0	0	-3,138,888	-3,138,888	
Grand Total	\$ 95,849,847	\$ 97,529,560	\$ 85,942,368	\$ 61,153,638	\$ -36,375,922	

Administration and Regulation

General Fund

	Actual FY 2008	Estimated Net FY 2009	House Action FY 2010	Senate Action FY 2010	Senate Action vs. Est Net 2009	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)
<u>Administrative Services, Dept. of</u>						
Administrative Services						
Administrative Services, Dept.	\$ 6,469,186	\$ 6,316,905	\$ 5,349,232	\$ 5,349,232	\$ -967,673	PG 1 LN 3
Utilities	3,824,800	3,643,197	3,517,432	3,517,432	-125,765	PG 1 LN 14
Shuttle Service	120,000	0	0	0	0	
Total Administrative Services, Dept. of	\$ 10,413,986	\$ 9,960,102	\$ 8,866,664	\$ 8,866,664	\$ -1,093,438	
<u>Auditor of State</u>						
Auditor Of State						
Auditor of State - General Office	\$ 1,249,178	\$ 1,233,691	\$ 905,468	\$ 905,468	\$ -328,223	PG 3 LN 33
Total Auditor of State	\$ 1,249,178	\$ 1,233,691	\$ 905,468	\$ 905,468	\$ -328,223	
<u>Ethics and Campaign Disclosure</u>						
Campaign Finance Disclosure						
Ethics & Campaign Disclosure Board	\$ 532,122	\$ 537,256	\$ 523,000	\$ 523,000	\$ -14,256	PG 5 LN 2
Total Ethics and Campaign Disclosure	\$ 532,122	\$ 537,256	\$ 523,000	\$ 523,000	\$ -14,256	
<u>Commerce, Dept. of</u>						
Alcoholic Beverages						
Alcoholic Beverages Operations	\$ 2,079,509	\$ 2,080,358	\$ 2,007,160	\$ 2,007,160	\$ -73,198	PG 5 LN 18
Banking Division						
Banking Division	\$ 8,200,316	\$ 8,662,670	\$ 8,063,060	\$ 0	\$ -8,662,670	PG 5 LN 24
Professional Licensing and Reg.						
Professional Licensing Bureau	\$ 945,982	\$ 933,521	\$ 900,553	\$ 900,553	\$ -32,968	PG 5 LN 30
Credit Union Division						
Credit Union Division	\$ 1,671,740	\$ 1,727,995	\$ 1,608,388	\$ 0	\$ -1,727,995	PG 5 LN 35
Insurance Division						
Insurance Division	\$ 4,857,123	\$ 4,881,216	\$ 4,711,954	\$ 0	\$ -4,881,216	PG 6 LN 6
Utilities Division						
Utilities Division	\$ 7,573,402	\$ 7,795,527	\$ 7,255,940	\$ 0	\$ -7,795,527	PG 6 LN 33

Administration and Regulation

General Fund

	Actual FY 2008	Estimated Net FY 2009	House Action FY 2010	Senate Action FY 2010	Senate Action vs. Est Net 2009	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)
Insurance Division						
Senior Health Insurance Information Program	\$ 0	\$ 59,100	\$ 52,253	\$ 52,253	\$ -6,847	PG 6 LN 12
Health Insurance Oversight	0	78,800	0	0	-78,800	
Total Insurance Division	\$ 0	\$ 137,900	\$ 52,253	\$ 52,253	\$ -85,647	
Total Commerce, Dept. of	\$ 25,328,072	\$ 26,219,187	\$ 24,599,308	\$ 2,959,966	\$ -23,259,221	
<u>Governor</u>						
Governor's Office						
Governor/Lt. Governor's Office	\$ 2,224,462	\$ 2,534,982	\$ 1,893,857	\$ 1,893,857	\$ -641,125	PG 8 LN 13
Terrace Hill Quarters	492,593	515,367	438,101	438,101	-77,266	PG 8 LN 26
Administrative Rules Coordinator	158,873	175,552	141,297	141,297	-34,255	PG 8 LN 32
National Governor's Association	80,600	80,600	70,783	70,783	-9,817	PG 9 LN 4
State-Federal Relations	131,222	141,235	46,620	46,620	-94,615	PG 9 LN 8
Total Governor	\$ 3,087,750	\$ 3,447,736	\$ 2,590,658	\$ 2,590,658	\$ -857,078	
<u>Governor's Office of Drug Control Policy</u>						
Office of Drug Control Policy						
Drug Policy Coordinator	\$ 346,731	\$ 357,866	\$ 348,368	\$ 348,368	\$ -9,498	PG 9 LN 20
Drug Task Forces	1,400,000	1,729,812	0	0	-1,729,812	
Total Governor's Office of Drug Control Policy	\$ 1,746,731	\$ 2,087,678	\$ 348,368	\$ 348,368	\$ -1,739,310	
<u>Human Rights, Dept. of</u>						
Human Rights, Department of						
Human Rights Administration	\$ 356,535	\$ 359,087	\$ 306,777	\$ 306,777	\$ -52,310	PG 9 LN 33
Deaf Services	413,700	424,859	378,792	378,792	-46,067	PG 10 LN 4
Asian and Pacific Islanders	127,093	149,658	133,430	133,430	-16,228	PG 10 LN 10
Persons with Disabilities	206,221	233,555	208,231	208,231	-25,324	PG 10 LN 17
Latino Affairs	191,035	199,759	178,100	178,100	-21,659	PG 10 LN 23
Status of Women	353,203	354,299	315,883	315,883	-38,416	PG 10 LN 29
Status of African Americans	372,066	187,080	166,796	166,796	-20,284	PG 11 LN 1
Criminal & Juvenile Justice	1,587,333	1,601,076	1,427,472	1,427,472	-173,604	PG 11 LN 11
Development, Assessment & Resolution Program	0	9,850	0	0	-9,850	
Status of Native Americans	0	5,910	5,352	5,352	-558	PG 11 LN 7
Total Human Rights, Dept. of	\$ 3,607,186	\$ 3,525,133	\$ 3,120,833	\$ 3,120,833	\$ -404,300	

Administration and Regulation

General Fund

	Actual FY 2008	Estimated Net FY 2009	House Action FY 2010	Senate Action FY 2010	Senate Action vs. Est Net 2009	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)
<u>Inspections & Appeals, Dept. of</u>						
Inspections and Appeals, Dept. of						
Administration Division	\$ 2,209,075	\$ 2,248,855	\$ 2,005,011	\$ 2,005,011	\$ -243,844	PG 12 LN 4
Administrative Hearings Division	708,962	759,690	677,317	677,317	-82,373	PG 12 LN 13
Investigations Division	1,599,591	1,629,666	1,452,962	1,452,962	-176,704	PG 12 LN 19
Health Facilities Division	2,498,437	2,507,242	2,235,383	2,235,383	-271,859	PG 12 LN 25
Employment Appeal Board	58,117	57,724	51,465	51,465	-6,259	PG 12 LN 31
Child Advocacy Board	2,751,058	2,860,637	2,920,367	2,920,367	59,730	PG 13 LN 11
Total Inspections and Appeals, Dept. of	\$ 9,825,240	\$ 10,063,814	\$ 9,342,505	\$ 9,342,505	\$ -721,309	
Racing Commission						
Pari-Mutuel Regulation	\$ 2,790,551	\$ 2,930,682	\$ 2,653,308	\$ 2,653,308	\$ -277,374	PG 14 LN 11
Riverboat Regulation	3,207,944	3,372,069	3,050,753	3,050,753	-321,316	PG 14 LN 23
Total Racing Commission	\$ 5,998,495	\$ 6,302,751	\$ 5,704,061	\$ 5,704,061	\$ -598,690	
Total Inspections & Appeals, Dept. of	\$ 15,823,735	\$ 16,366,565	\$ 15,046,566	\$ 15,046,566	\$ -1,319,999	
<u>Management, Dept. of</u>						
Management, Dept. of						
Department Operations	\$ 3,178,337	\$ 3,253,620	\$ 2,811,511	\$ 2,811,511	\$ -442,109	PG 15 LN 11
Searchable Budget Database	0	0	5,000	0	0	PG 15 LN 27
Open Meetings	0	0	5,500	0	0	PG 15 LN 30
Total Management, Dept. of	\$ 3,178,337	\$ 3,253,620	\$ 2,822,011	\$ 2,811,511	\$ -442,109	
<u>Revenue, Dept. of</u>						
Revenue, Dept. of						
Revenue, Department of	\$ 26,472,699	\$ 26,332,296	\$ 22,754,688	\$ 22,754,688	\$ -3,577,608	PG 16 LN 8
Total Revenue, Dept. of	\$ 26,472,699	\$ 26,332,296	\$ 22,754,688	\$ 22,754,688	\$ -3,577,608	
<u>Secretary of State</u>						
Secretary of State						
Admin/Elections/Voter Registration	\$ 1,370,063	\$ 1,515,404	\$ 0	\$ 0	\$ -1,515,404	PG 17 LN 1
Secretary of State-Business Services	2,012,018	1,986,241	0	0	-1,986,241	
Sec of State Operations	0	0	3,217,317	3,217,317	3,217,317	
Total Secretary of State	\$ 3,382,081	\$ 3,501,645	\$ 3,217,317	\$ 3,217,317	\$ -284,328	

Administration and Regulation

General Fund

	Actual FY 2008	Estimated Net FY 2009	House Action FY 2010	Senate Action FY 2010	Senate Action vs. Est Net 2009	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)
<u>Treasurer of State</u>						
Treasurer of State						
Treasurer - General Office	\$ 1,027,970	\$ 1,064,651	\$ 949,210	\$ 949,210	\$ -115,441	PG 17 LN 28
Total Treasurer of State	<u>\$ 1,027,970</u>	<u>\$ 1,064,651</u>	<u>\$ 949,210</u>	<u>\$ 949,210</u>	<u>\$ -115,441</u>	
<u>Rebuild Iowa Office</u>						
Rebuild Iowa Office						
RIO Operations	\$ 0	\$ 0	\$ 198,277	\$ 198,277	\$ 198,277	PG 18 LN 25
Total Rebuild Iowa Office	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 198,277</u>	<u>\$ 198,277</u>	<u>\$ 198,277</u>	
Total Administration and Regulation	<u>\$ 95,849,847</u>	<u>\$ 97,529,560</u>	<u>\$ 85,942,368</u>	<u>\$ 64,292,526</u>	<u>\$ -33,237,034</u>	

Justice System

General Fund

	Actual FY 2008	Estimated Net FY 2009	House Action FY 2010	Senate Action FY 2010	Senate Action vs. Est Net 2009	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)
<u>Justice, Department of</u>						
Consumer Advocate						
Consumer Advocate Reduction	\$ 0	\$ 0	\$ 0	\$ -3,138,888	\$ -3,138,888	
Total Justice, Department of	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ -3,138,888</u>	<u>\$ -3,138,888</u>	
Total Justice System	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ -3,138,888</u>	<u>\$ -3,138,888</u>	

Summary Data

Other Funds

	Actual FY 2008	Estimated Net FY 2009	House Action FY 2010	Senate Action FY 2010	Senate Action vs. Est Net 2009	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)
Administration and Regulation	\$ 20,364,286	\$ 21,135,800	\$ 21,142,617	\$ 44,210,025	\$ 23,074,225	
Justice System	0	0	0	3,138,888	3,138,888	
Grand Total	\$ 20,364,286	\$ 21,135,800	\$ 21,142,617	\$ 47,348,913	\$ 26,213,113	

Administration and Regulation

Other Funds

	Actual FY 2008 (1)	Estimated Net FY 2009 (2)	House Action FY 2010 (3)	Senate Action FY 2010 (4)	Senate Action vs. Est Net 2009 (5)	Page and Line # (6)
<u>Commerce, Dept. of</u>						
Professional Licensing and Reg. Housing Improvement Fund_Field Auditor	\$ 0	\$ 62,317	\$ 62,317	\$ 62,317	\$ 0	PG 8 LN 2
Banking Division						
Banking Division	\$ 0	\$ 0	\$ 0	\$ 8,662,670	\$ 8,662,670	PG 5 LN 24
Credit Union Division						
Credit Union Division	\$ 0	\$ 0	\$ 0	\$ 1,727,995	\$ 1,727,995	PG 5 LN 35
Insurance Division						
Insurance Division	\$ 0	\$ 0	\$ 0	\$ 4,881,216	\$ 4,881,216	PG 6 LN 6
Utilities Division						
Utilities Division	\$ 0	\$ 0	\$ 0	\$ 7,795,527	\$ 7,795,527	PG 6 LN 33
Total Commerce, Dept. of	<u>\$ 0</u>	<u>\$ 62,317</u>	<u>\$ 62,317</u>	<u>\$ 23,129,725</u>	<u>\$ 23,067,408</u>	
<u>Human Rights, Dept. of</u>						
Human Rights, Department of Division of Community Action Agencies	\$ 0	\$ 150,000	\$ 0	\$ 0	\$ -150,000	
Total Human Rights, Dept. of	<u>\$ 0</u>	<u>\$ 150,000</u>	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ -150,000</u>	
<u>Inspections & Appeals, Dept. of</u>						
Inspections and Appeals, Dept. of DIA-Use Tax/RUTF	\$ 1,623,897	\$ 1,623,897	\$ 1,623,897	\$ 1,623,897	\$ 0	PG 15 LN 1
Total Inspections & Appeals, Dept. of	<u>\$ 1,623,897</u>	<u>\$ 1,623,897</u>	<u>\$ 1,623,897</u>	<u>\$ 1,623,897</u>	<u>\$ 0</u>	
<u>Management, Dept. of</u>						
Management, Dept. of RUTF DOM Operations	\$ 56,000	\$ 56,000	\$ 56,000	\$ 56,000	\$ 0	PG 15 LN 35
Total Management, Dept. of	<u>\$ 56,000</u>	<u>\$ 56,000</u>	<u>\$ 56,000</u>	<u>\$ 56,000</u>	<u>\$ 0</u>	

Administration and Regulation

Other Funds

	Actual FY 2008	Estimated Net FY 2009	House Action FY 2010	Senate Action FY 2010	Senate Action vs. Est Net 2009	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)
<u>IPERS Administration</u>						
IPERS Administration	\$ 17,285,466	\$ 17,844,663	\$ 18,001,480	\$ 18,001,480	\$ 156,817	PG 18 LN 13
Total IPERS Administration	\$ 17,285,466	\$ 17,844,663	\$ 18,001,480	\$ 18,001,480	\$ 156,817	
<u>Revenue, Dept. of</u>						
Revenue, Dept. of						
Motor Fuel Tax Admin.-MVFT	\$ 1,305,775	\$ 1,305,775	\$ 1,305,775	\$ 1,305,775	\$ 0	PG 16 LN 26
Total Revenue, Dept. of	\$ 1,305,775	\$ 1,305,775	\$ 1,305,775	\$ 1,305,775	\$ 0	
<u>Treasurer of State</u>						
Treasurer of State						
I-3 Expenses - RUTF	\$ 93,148	\$ 93,148	\$ 93,148	\$ 93,148	\$ 0	PG 18 LN 5
Total Treasurer of State	\$ 93,148	\$ 93,148	\$ 93,148	\$ 93,148	\$ 0	
Total Administration and Regulation	\$ 20,364,286	\$ 21,135,800	\$ 21,142,617	\$ 44,210,025	\$ 23,074,225	

Justice System

Other Funds

	Actual FY 2008	Estimated Net FY 2009	House Action FY 2010	Senate Action FY 2010	Senate Action vs. Est Net 2009	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)
<u>Justice, Department of</u>						
Consumer Advocate						
Consumer Advocate	\$ 0	\$ 0	\$ 0	\$ 3,138,888	\$ 3,138,888	
Total Justice, Department of	\$ 0	\$ 0	\$ 0	\$ 3,138,888	\$ 3,138,888	
Total Justice System	\$ 0	\$ 0	\$ 0	\$ 3,138,888	\$ 3,138,888	

Summary Data

FTE

	Actual FY 2008	Estimated Net FY 2009	House Action FY 2010	Senate Action FY 2010	Senate Action vs. Est Net 2009	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)
Administration and Regulation	1,490.81	1,619.02	1,633.21	1,635.21	16.19	
Justice System	21.42	27.00	0.00	27.00	0.00	
Grand Total	1,512.23	1,646.02	1,633.21	1,662.21	16.19	

NOTE: The FTE positions in the Estimated Net FY 2009 column reflect the authorized FTE positions in the final legislative action of the FY 2009 appropriations Act.

Administration and Regulation

FTE

	Actual FY 2008	Estimated Net FY 2009	House Action FY 2010	Senate Action FY 2010	Senate Action vs. Est Net 2009	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)
<u>Administrative Services, Dept. of</u>						
Administrative Services						
Administrative Services, Dept.	101.44	112.08	112.28	112.28	0.20	PG 1 LN 3
Utilities	1.58	1.00	1.00	1.00	0.00	PG 1 LN 14
Total Administrative Services, Dept. of	103.02	113.08	113.28	113.28	0.20	
<u>Auditor of State</u>						
Auditor Of State						
Auditor of State - General Office	102.10	103.00	103.00	103.00	0.00	PG 3 LN 33
Total Auditor of State	102.10	103.00	103.00	103.00	0.00	
<u>Ethics and Campaign Disclosure</u>						
Campaign Finance Disclosure						
Ethics & Campaign Disclosure Board	5.51	6.00	6.00	6.00	0.00	PG 5 LN 2
Total Ethics and Campaign Disclosure	5.51	6.00	6.00	6.00	0.00	
<u>Commerce, Dept. of</u>						
Alcoholic Beverages						
Alcoholic Beverages Operations	26.49	37.00	37.00	37.00	0.00	PG 5 LN 18
Banking Division						
Banking Division	66.32	73.00	73.00	73.00	0.00	PG 5 LN 24
Professional Licensing and Reg.						
Professional Licensing Bureau	12.78	16.00	16.00	16.00	0.00	PG 5 LN 30
Credit Union Division						
Credit Union Division	16.61	19.00	19.00	19.00	0.00	PG 5 LN 35
Insurance Division						
Insurance Division	90.09	101.00	101.00	102.00	1.00	PG 6 LN 6
Utilities Division						
Utilities Division	69.96	79.00	79.00	79.00	0.00	PG 6 LN 33
Total Commerce, Dept. of	282.24	325.00	325.00	326.00	1.00	

Administration and Regulation

FTE

	Actual FY 2008	Estimated Net FY 2009	House Action FY 2010	Senate Action FY 2010	Senate Action vs. Est Net 2009	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)
<u>Governor</u>						
Governor's Office						
Governor/Lt. Governor's Office	20.33	26.25	25.25	25.25	-1.00	PG 8 LN 13
Terrace Hill Quarters	9.54	10.00	10.00	10.00	0.00	PG 8 LN 26
Administrative Rules Coordinator	3.01	3.00	3.00	3.00	0.00	PG 8 LN 32
State-Federal Relations	2.01	2.00	1.00	1.00	-1.00	PG 9 LN 8
Total Governor	34.88	41.25	39.25	39.25	-2.00	
<u>Governor's Office of Drug Control Policy</u>						
Office of Drug Control Policy						
Drug Policy Coordinator	6.73	8.00	8.00	8.00	0.00	PG 9 LN 20
Drug Task Forces	1.07	0.00	0.00	0.00	0.00	
Total Governor's Office of Drug Control Policy	7.80	8.00	8.00	8.00	0.00	
<u>Human Rights, Dept. of</u>						
Human Rights, Department of						
Human Rights Administration	6.84	7.00	7.00	7.00	0.00	PG 9 LN 33
Deaf Services	4.47	6.00	6.00	6.00	0.00	PG 10 LN 4
Asian and Pacific Islanders	1.40	1.00	1.00	1.00	0.00	PG 10 LN 10
Persons with Disabilities	2.89	3.20	3.20	3.20	0.00	PG 10 LN 17
Latino Affairs	2.97	3.00	3.00	3.00	0.00	PG 10 LN 23
Status of Women	2.54	3.00	4.00	4.00	1.00	PG 10 LN 29
Status of African Americans	2.67	2.00	2.00	2.00	0.00	PG 11 LN 1
Criminal & Juvenile Justice	10.51	11.18	11.18	11.18	0.00	PG 11 LN 11
Total Human Rights, Dept. of	34.31	36.38	37.38	37.38	1.00	
<u>Inspections & Appeals, Dept. of</u>						
Inspections and Appeals, Dept. of						
Administration Division	39.03	39.25	39.25	39.25	0.00	PG 12 LN 4
Administrative Hearings Division	23.26	24.00	24.00	24.00	0.00	PG 12 LN 13
Investigations Division	48.02	49.00	50.00	50.00	1.00	PG 12 LN 19
Health Facilities Division	127.47	140.75	140.75	140.75	0.00	PG 12 LN 25
Employment Appeal Board	13.98	15.00	15.00	15.00	0.00	PG 12 LN 31
Child Advocacy Board	39.71	45.12	45.12	45.12	0.00	PG 13 LN 11
Total Inspections and Appeals, Dept. of	291.46	313.12	314.12	314.12	1.00	

Administration and Regulation

FTE

	Actual FY 2008	Estimated Net FY 2009	House Action FY 2010	Senate Action FY 2010	Senate Action vs. Est Net 2009	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)
Racing Commission						
Pari-Mutuel Regulation	25.93	28.53	28.53	28.53	0.00	PG 14 LN 11
Riverboat Regulation	37.59	42.22	42.22	42.22	0.00	PG 14 LN 23
Total Racing Commission	63.51	70.75	70.75	70.75	0.00	
Total Inspections & Appeals, Dept. of	354.97	383.87	384.87	384.87	1.00	
Management, Dept. of						
Management, Dept. of						
Department Operations	30.63	37.50	36.50	37.50	0.00	PG 15 LN 11
Total Management, Dept. of	30.63	37.50	36.50	37.50	0.00	
IPERS Administration						
IPERS Administration						
IPERS Administration	81.93	95.13	95.13	95.13	0.00	PG 18 LN 13
Total IPERS Administration	81.93	95.13	95.13	95.13	0.00	
Revenue, Dept. of						
Revenue, Dept. of						
Revenue, Department of	365.68	399.01	400.00	400.00	0.99	PG 16 LN 8
Tax Gap Collections	26.97	0.00	0.00	0.00	0.00	
Total Revenue, Dept. of	392.65	399.01	400.00	400.00	0.99	
Secretary of State						
Secretary of State						
Admin/Elections/Voter Registration	13.50	17.00	0.00	0.00	-17.00	
Secretary of State-Business Services	22.77	25.00	0.00	0.00	-25.00	
Sec of State Operations	0.00	0.00	44.00	44.00	44.00	PG 17 LN 1
Total Secretary of State	36.27	42.00	44.00	44.00	2.00	
Treasurer of State						
Treasurer of State						
Treasurer - General Office	24.50	28.80	28.80	28.80	0.00	PG 17 LN 28
Total Treasurer of State	24.50	28.80	28.80	28.80	0.00	

Administration and Regulation

FTE

	Actual FY 2008	Estimated Net FY 2009	House Action FY 2010	Senate Action FY 2010	Senate Action vs. Est Net 2009	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)
<u>Rebuild Iowa Office</u>						
Rebuild Iowa Office						
RIO Operations	0.00	0.00	12.00	12.00	12.00	PG 18 LN 25
Total Rebuild Iowa Office	0.00	0.00	12.00	12.00	12.00	
Total Administration and Regulation	1,490.81	1,619.02	1,633.21	1,635.21	16.19	

Justice System

FTE

	Actual FY 2008	Estimated Net FY 2009	House Action FY 2010	Senate Action FY 2010	Senate Action vs. Est Net 2009	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)
<u>Justice, Department of</u>						
Consumer Advocate						
Consumer Advocate	21.42	27.00	0.00	27.00	0.00	
Total Justice, Department of	21.42	27.00	0.00	27.00	0.00	
Total Justice System	21.42	27.00	0.00	27.00	0.00	